

# **EXHIBIT E**

5/6/19 - M. McKendry

side, we did a lot of interactions on ground rules and issues that come up at the ball park.

Q. Did anything that you did in the capacity as field operations department person relate to the evaluation of performance of umpires?

A. We would give feedback on how situations were handled on the field in the -- from the perception of the on-field operations department. And I did assist with some of the logistics on sending out QuesTec information which the umpires were graded on; that was their strike zone system during that period.

Q. Spell QuesTec for us.

A. Q-U-E-S, capital T-E-C.

Q. And you indicated that that was something that the umpires were evaluated against during that period?

A. Yes.

Q. And when did that change?

A. We transitioned from QuesTec to SportsVision I believe somewhere in the 2009 season or so. But I'm not completely sure on the dates.

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Q. And did the SportsVision system at some point give way to another system?

A. It did.

Q. What was that?

A. That is the ZE system which we currently use for strike zone evaluation.

Q. And when did ZE go in to effect?

A. Again, I'm going to be estimating, but I want to say that was like 2011 or so -- actually it was a little bit later, let me correct myself. I think that happened I want to say 2015, something like that.

Q. Why did Major League Baseball change from the SportsVision system to the ZE system?

A. You'll have to ask the folks on the technical side. I think it had to do with technical improvements, but that would just be speculation.

Q. Who would those people be?

A. I'm not sure specifically who you should speak to, but I know Jason Gaedtke, who runs our tech side now is probably the person who would oversee all of that.

Q. Do you know why Major League

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2 A. Yes.

3 Q. And who does that analysis?

4 A. We have employees who work formerly  
5 at BAM, I don't know the specific name of the  
6 entity that they're under, I think they're under  
7 the Baseball Commissioner now, who are assigned  
8 to ZE to do analysis of.

9 Q. Do you know who any of those  
10 individuals are?

11 A. I do.

12 Q. Who are they?

13 A. Perry Pierce is the lead of that  
14 group. Dan Goodman is our lead scorer and he  
15 has been with the group since the transition to  
16 SportsVision. Scott Miller is another scorer  
17 who has been there several years, and Ed Zeine  
18 is also a scorer who has been there for several  
19 years.

20 Q. Can you spell Ed Zeine for me?

21 A. Z-E-I-N-E, I believe.

22 Q. Is the data that is considered by  
23 Mr. Pierce, Mr. Goodman, Mr. Miller, Mr. Zeine,  
24 the same underlying data that the public sees?

25 MR. LUPION: Object to the form.



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2 BY MR. LANDEN:

3 A. Yes, the same underlying data.

4 Q. Do they have any additional  
5 underlying data that they consider beyond that  
6 which the public sees?

7 A. They have access to the centerfield  
8 camera, which is just another tool that they use  
9 to make sure that the lines are set properly;  
10 that's not something that is pushed out to the  
11 public.

12 Q. When you say, "that the lines are  
13 set properly," what are you referring to?

14 A. The lines of the strike zone.

15 Q. Vertical, horizontal or both?

16 A. The vertical lines.

17 Q. And do the vertical lines change  
18 with the respective batters going into the  
19 batter's box?

20 A. They do.

21 Q. Who makes the assessment as to the  
22 appropriate location for the vertical lines of  
23 the strike zone in regard to the position that  
24 is reflected in what the public sees?

25 A. There is an algorithm in the system

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that when the ball is halfway to home plate based on a certain number of plate appearances prior for the individual that's at bat, then it will set a default strike zone size, and then that will be what is seen on the information that's pushed out in that raw data.

Q. So it's your testimony then that that occurs when the ball was half way to the plate?

A. Yes.

Q. So does it change from pitch to pitch?

A. Yes.

Q. And is that based on the stance or position of the batter?

A. Yes.

Q. Who or what is measuring the stance of the batter to make the adjustment from pitch to pitch?

A. The stance -- I'm not sure, I was trying to think if I knew for sure and I do not.

Q. Do you know who is in charge of that?

A. I think Perry Pierce and that group

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2 would be able to answer your technical questions  
3 on that.

4 Q. In terms of that which is available  
5 to the public directly from Major League  
6 Baseball sources, does it reflect the adjustment  
7 in the vertical aspect of the strike zone on  
8 each pitch?

9 MR. LUPION: Objection.

10 You can answer.

11 BY MR. LANDEN:

12 A. No, it does not.

13 Q. O.K.

14 Why not?

15 A. To have -- it takes us an additional  
16 screening process that could not be done  
17 instantaneously to verify that -- the heights of  
18 those marks.

19 Q. O.K., so the data that is  
20 determining the vertical aspect of the strike  
21 zone is determined when the ball is halfway in  
22 its flight to the plate?

23 A. That's correct.

24 Q. That data is gathered, but not  
25 applied until some later point in time, correct?

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2           **A.     For evaluation purposes, yes.**

3           Q.     When is that evaluation -- excuse  
4 me, when is the data gathered for purposes of  
5 evaluations?

6           **A.     After the game, there's a post game**  
7 **auditing process that happens overnight. And**  
8 **then the lines are adjusted as each pitch is**  
9 **reviewed, each called pitch. And then the**  
10 **following morning, our scorers will go through**  
11 **each one of those games and look through with**  
12 **focus on anything that is an incorrect lead call**  
13 **pitch or a -- anything where there's question on**  
14 **the tracking, et cetera, they'll review those**  
15 **pitches before we release any information out to**  
16 **the umpires.**

17          Q.     Is that process explained to the  
18 umpires?

19          **A.     Yes, it has been explained to the**  
20 **umpires many times.**

21          Q.     By whom?

22          **A.     Various people including myself.**

23          Q.     When by you?

24          **A.     The last time that I explained it to**  
25 **the umpires was at their annual meeting in**



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2 January of 2019.

3 Q. And is it your understanding that  
4 the public is aware of the change in the strike  
5 zone from pitch to pitch for evaluation  
6 purposes?

7 MR. LUPION: Objection.

8 BY MR. LANDEN:

9 A. I'm not sure if the public is aware.

10 Q. Do you have any reason to believe  
11 that Major League Baseball or the Office of the  
12 Commissioner has disseminated that information  
13 to the public that the strike zone changes from  
14 pitch to pitch for evaluation purposes?

15 A. Any time that -- well, I can't say  
16 for sure every time, but when a representative  
17 of the Commissioner's office speaks to a media  
18 member regarding the strike zone and how it's  
19 used for evaluation purposes, they will explain  
20 the additional auditing piece that goes into it.  
21 I know that The Commissioner has on instances.  
22 I know that Peter Woodfork has. I know that  
23 anyone who is involved with the strike zone  
24 system has mentioned that.

25 Q. O.K., when did The Commissioner do

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2 that?

3 **A. I'm not sure of specific dates.**

4 **Q. To whom did The Commissioner do**  
5 **that?**

6 **A. I'm not sure of the specific people.**

7 **Q. Under what circumstances did The**  
8 **Commissioner do that?**

9 **A. Normally when the strike zone comes**  
10 **up during his conversations with media members**  
11 **at the beginning of each season, he'll travel**  
12 **around and go on a bunch of television**  
13 **broadcasts and he will speak to the on-air**  
14 **personality and answer whatever questions they**  
15 **ask. The strike zone tends to be a topic that**  
16 **comes up, and he will speak in generalities**  
17 **based on the information about the strike zone.**

18 **Q. What about Mr. Woodfork and under**  
19 **what circumstances did he provide that**  
20 **information to the public?**

21 **A. Again, I'm not sure of specific**  
22 **instances, but I know it has been a topic when**  
23 **he has spoken to the media.**

24 **Q. Are you aware of any other personnel**  
25 **who have provided that information to the public**

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2 or the media other than The Commissioner or Mr.  
3 Woodfork?

4 A. Off the top of my head, the only  
5 other people who were in that position where  
6 they would speak about stuff like that would be  
7 the -- whoever was in charge of the umpires at  
8 that point, but I don't know if -- I don't know  
9 specific instances for any of those folks.

10 Q. You believe that it occurred but you  
11 don't know --

12 A. Correct.

13 Q. -- with who or when?

14 A. Correct.

15 Q. Now in terms of the horizontals,  
16 side-to-side --

17 A. Yes.

18 Q. -- aspect of the strike zone, is  
19 that fixed?

20 A. Yes, that is set based on the width  
21 of home plate.

22 Q. And is that modified or considered  
23 in any different light other than the vertical  
24 aspect that the public sees when the data is  
25 initially disseminated to them?



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2 A. There is a two-inch buffer placed on  
3 either side to cover any error in the tracking.

4 Q. What do you mean by a two-inch  
5 buffer?

6 A. Umpires are -- if a ball is measured  
7 to be within a two-inch buffer on either side of  
8 home plate, they are given credit for that --  
9 that is called an acceptable pitch.

10 Q. And what's the basis for the  
11 two-inch margin?

12 A. It was -- I believe, and I'm not 100  
13 percent confident because I was not involved in  
14 the process at this point, but I believe it is  
15 based off of what the error rate was when they  
16 instituted the system.

17 Q. So when the system was instituted,  
18 was it your understanding that it was only  
19 accurate to within 2 inches?

20 MR. LUPION: Object to the form.

21 A. I don't know the specific error rate  
22 that was within the system.

23 Q. Who would know that information?

24 A. I'm not sure.

25 Q. Is any of the information about the

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2 -- let me rephrase.

3 In terms of the tracking of the  
4 baseball, and whether it intersects the strike  
5 zone, at what point is the strike zone measured?  
6 To clarify, front of the plate, middle of the  
7 plate, back of the plate or three-dimensional  
8 shape.

9 **A. If the baseball is within the strike**  
10 **zone at any point over the width of the plate,**  
11 **of the span of the plate, it is measured as a**  
12 **strike.**

13 Q. And the box that is visually  
14 portrayed and video representations of the  
15 plate, is that portrayed on the basis of the  
16 front of the plate, the middle of the plate, the  
17 back of the plate or something else?

18 MR. LUPION: Objection.

19 BY MR. LANDEN:

20 **A. My understanding is that visual**  
21 **square that's on most telecasts is at the front**  
22 **of the plate, but I am not sure.**

23 Q. What about the one supplied by Major  
24 League Baseball itself?

25 MR. LUPION: Objection.

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2 BY MR. LANDEN:

3 A. The graphic is -- the graphic is  
4 dependent on the end user of the product, they  
5 create a graphic which works within their  
6 broadcast, but the information that's supplied  
7 is uniform from the Commissioner's office.

8 Q. Do you the television networks that  
9 disseminate images of the games have their own  
10 tracking system or are they using Major League  
11 Baseball's?

12 MR. LUPION: Objection.

13 A. They current -- all of the  
14 information that is put out currently on strike  
15 zone information is from the Major League  
16 Baseball data feed.

17 Q. And you qualified your answer by  
18 saying "currently."

19 When, if at any point, did that  
20 change?

21 A. I do not know specifically when it  
22 did change, but I know there were multiple pitch  
23 tracking systems previously.

24 Q. And what were those?

25 A. I do not know the names of the

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2           Q.     You've already explained how the ZE  
3     system works in terms of balls and strikes.

4                     Is there a -- let's put it this way:  
5     Can you describe in simple terms what data is  
6     gathered to feed into the SURE system?

7           A.     The SURE system is based off of  
8     logging of games, as they go on. So anything  
9     that is defined as a close play is marked and  
10    filtered into a bucket of plays that are  
11    evaluated for each individual umpire for every  
12    game.

13          Q.     Who makes the decision about whether  
14    it's close?

15          A.     Raquel oversees that process right  
16    now.

17          Q.     Who oversaw it before?

18          A.     Steve Mara oversaw that process  
19    prior to her.

20          Q.     When did he transition out and she  
21    transition in?

22          A.     When I got the position as director  
23    of umpire operations or umpire administration at  
24    the time, Steve transitioned in to my previous  
25    role in the on-field operations department and

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2       BY MR. LANDEN:

3           **A.    He has a similar set up to**  
4 **Mr. Marsh.**

5           Q.    Does Mr. Rieker have an office  
6 dedicated to his use at the headquarters on Park  
7 Avenue?

8           **A.    No, he does not.**

9           Q.    Does Mr. Letendre have an office  
10 dedicated to his use at Park Avenue?

11          **A.    No, he does not.**

12          Q.    Where does Mr. Letendre typically  
13 perform his duties?

14                   MR. LUPION: Object to the form.

15          **A.    Again, various locations depending**  
16 **on the function of his work.**

17          Q.    What individual or individuals are  
18 charged with the responsibility of making the  
19 adjustments to the balls and strikes during the  
20 overnight period that you've previously  
21 described?

22                   MR. LUPION: Object to the form.

23          **A.    Are you speaking about the ZE**  
24 **system?**

25          Q.    Yes.



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2 Let me try to clarify the  
3 question --

4 **A. Yes.**

5 **Q.** -- if I may.

6 And again, couple of lead-ins to  
7 make sure we're talking about the same thing.

8 It's my understanding that the raw  
9 information comes out of the ZE system and  
10 somebody reviews that, right?

11 **A. That's correct.**

12 **Q.** And after taking in to consideration  
13 the two-inch buffer that you previously  
14 described, somebody makes a determination as to  
15 what pitches are considered acceptable from a  
16 balls-and-strikes standpoint?

17 **A. That's correct.**

18 **Q.** Who are the individuals who perform  
19 that function in the 2019 season moving  
20 backwards?

21 **A. I do not -- I do not know the**  
22 **specific names of those individuals who do the**  
23 **initial overnight auditing process.**

24 **Q.** Where are they located?

25 **A. I am not sure specifically where**

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2           **they are located when they perform their duties.**

3           Q.       Where is the data housed? And I  
4 recognize in the world that involves pod  
5 computing, et cetera, that that could be an  
6 amorphous concept, but is there a central data  
7 bank or data storage facility at which that  
8 information is compiled?

9           **A.       I have no idea.**

10          Q.       So you don't know who they are and  
11 you don't know where they do it?

12                   MR. LUPION: Object to the form.

13 BY MR. LANDEN:

14           **A.       No, I do not.**

15          Q.       O.K.

16                   Who would know who they are and  
17 where they do it?

18                   MR. LUPION: Object to the form.

19           **A.       Someone who is on the technical side**  
20 **of the ZE system would have a better idea of**  
21 **specific names and locations of information.**

22          Q.       Do you know whether or not the  
23 people who make that assessment work for the  
24 Office of The Commissioner?

25                   MR. LUPION: Object to the form.



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2           **A.       That is my understanding.**

3           Q.       Do you know who came up with the  
4       idea of it being a two-inch buffer around the  
5       strike zone?

6                   MR. LUPION: Object to the form.

7           **A.       I do not.**

8           Q.       I'm trying to find a way to state it  
9       generically.

10                   You describe a two-inch is buffer,  
11       what's the right word for that? I just want to  
12       have a common source of reference.

13           **A.       Buffer is the terminology that we**  
14       **use.**

15           Q.       So, how long has the two-inch buffer  
16       been in existence?

17           **A.       Since I've started in the umpiring**  
18       **department in 2012, we have had the two-inch**  
19       **buffer.**

20           Q.       And to make sure I'm understanding  
21       correctly, is the two-inch buffer on the  
22       vertical up and down aspect of the play, side to  
23       side of the play or both?

24                   MR. LUPION: Object to the form, you  
25       can answer.

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2 BY MR. LANDEN:

3 A. The two-inch buffer as discussed is  
4 on the outer edges of the plate, it is also on  
5 the top of the strike zone, and there is a  
6 buffer on the bottom of the strike zone as well.

7 Q. O.K., and is the buffer on the  
8 bottom of the strike zone different from the  
9 buffer at the top of the strike zone?

10 A. It is.

11 Q. What is it?

12 A. There is an inch and a half space at  
13 the bottom of the strike zone where if the ball  
14 hits that bottom portion of the strike zone, and  
15 does not remain within the strike zone for the  
16 entirety of the play, then -- and the umpire  
17 calls that pitch a ball, it is considered an  
18 acceptable pitch.

19 Q. In the aspects of the data about  
20 balls and strikes that are disseminated to the  
21 public by MLB, there is routinely a circle  
22 located on a graphic to indicate the location of  
23 the pitch, right?

24 MR. LUPION: Object to the form.

25 A. Which system are we talking about?

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2           Q.     O.K., let's start with ZE --

3           **A.     O.K.**

4           Q.     -- and work our way backwards if we  
5 need to make sure that we're clear on this.

6                   The 2 inches top and sides and the  
7 one-and-a-half inches at the bottom, is that  
8 applied to the data gathered by the ZE system?

9           **A.     That is included in the ZE system,**  
10 **yes.**

11          Q.     O.K.

12                   So it's not -- let me see if I  
13 understand correctly.

14                   It's not that the ZE system data  
15 comes in and then someone as a human agent has  
16 to go around and try to figure out if at all it  
17 failed to reach the strike zone as calculated by  
18 the ZE system if it was within two inches of  
19 doing so; rather, if I understand you correctly,  
20 the ZE system itself makes the determination as  
21 to whether it was within 2 inches of the  
22 vertical or horizontal axes of the strike zone  
23 as defined by the ZE system?

24                   MR. LUPION: I'm just going to  
25 interpose an objection, compound question.

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2 It was a long question so I'm going to ask  
3 for a read back, please.

4 MR. LANDEN: Actually recognizing  
5 your point, let me try to break that in to  
6 pieces to avoid that.

7 MR. LUPION: So you're going to  
8 withdraw that question?

9 MR. LANDEN: I will withdraw that  
10 question and instead pose the following  
11 series of questions.

12 BY MR. LANDEN:

13 Q. Does the ZE system itself include a  
14 determination as to whether a given pitch is a  
15 ball or strike?

16 A. It does.

17 Q. Does the ZE system indicate in its  
18 output that a pitch is a strike if it touches;  
19 that is, the circumference of the ball, touches  
20 the vertical axis of the plate between the upper  
21 and lower limits of the strike zone?

22 A. It does.

23 Q. Does it also indicate that a ball is  
24 -- excuse me -- that the pitch -- let me  
25 rephrase.

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2 Does it also indicate that the pitch  
3 is a strike if the circumference of the ball  
4 intersects with an area 2 inches on either side  
5 of the plate?

6 **A. It does not.**

7 Q. Who makes the determination as to  
8 whether that was a strike or a ball if it went  
9 within 2 inches of either side of the plate?

10 MR. LUPION: Object, object to the  
11 form. At what point in time?

12 MR. LANDEN: Well, at any point in  
13 time, if there's a --

14 BY MR. LANDEN:

15 Q. Let me clarify.

16 The umpire himself makes a  
17 determination as to whether it is a ball or  
18 strike?

19 **A. That is correct.**

20 Q. On the field?

21 **A. That is correct.**

22 Q. For purposes of the output that is  
23 provided to media sources and the public by MLB,  
24 who or what makes a determination as to whether  
25 a pitch that's within 2 inches of the vertical



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2 axes of the plate will be indicated as a ball or  
3 strike?

4 MR. LUPION: Object to the form.

5 BY MR. LANDEN:

6 A. I'm a little confused based on that  
7 question or where specifically you're looking  
8 for me to answer. Like, what part of the  
9 process are you looking for an answer from know?

10 Q. There's a pitch has been thrown, the  
11 pitch was off the plate conventionally viewed  
12 and that it did not intersect the vertical axes  
13 of the plate.

14 A. O.K.

15 Q. Instead it was, let's say,  
16 one-and-a-half inches inside.

17 A. O.K.

18 Q. A visual representation goes out  
19 through various MLB media indicating the  
20 location of the pitch, right?

21 A. Correct.

22 Q. And it shows it as being inside or  
23 outside a rectangular box that is represented in  
24 those media as the strike zone, correct?

25 A. That's correct.

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2           Q.     Does the box itself take in to  
3 account the 2 inches that you have described  
4 such that it would -- that the pitch would be  
5 indicated visually in those exported media as  
6 being inside the strike zone?

7                   MR. LUPION: I'm going to object, I  
8 don't understand the question, so...

9           **A.     I understand this one.**

10                   **It does not.**

11          Q.     So the box that's visually  
12 represented in what MLB disseminates as data --

13           **A.     Yes.**

14          Q.     -- is based on the actual limits of  
15 the strike zone from side to side and from top  
16 to bottom?

17           **A.     That's correct.**

18          Q.     The pitch that therefor is indicated  
19 in the visual media that are disseminated by  
20 Major League Baseball in realtime would therefor  
21 show a pitch that is an inch and a half inside  
22 or outside as outside the rectangle, right?

23           **A.     That's correct.**

24          Q.     That would be considered a strike by  
25 Major League Baseball or not?



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2 MR. LUPION: Object to the form.

3 A. Considered -- my question is  
4 considered when? Like again, I'm not -- I'm not  
5 sure -- did the umpire call it a strike?

6 Q. Let's go through each of the  
7 permutations.

8 A. O.K.

9 Q. The umpire has said ball?

10 A. O.K.

11 Q. Is at the moment that the umpire  
12 said ball, as it was an inch and a half outside  
13 of the rectangle from side to side, does Major  
14 League Baseball consider the call to have been  
15 incorrect?

16 A. No. If the pitch was an inch and a  
17 half outside of the strike zone, and it was  
18 measured as an inch and a half outside of strike  
19 zone in the auditing process, it would be marked  
20 as a correct call if the umpire called it a  
21 ball.

22 Q. If, same scenario --

23 A. Yup.

24 Q. -- the pitch has been made, it is an  
25 inch and a half outside the strike zone as

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2 defined by the vertical axes of the play --

3 **A. Yup.**

4 Q. -- and the umpires called it a  
5 strike, does Major League Baseball consider that  
6 an appropriate call?

7 MR. LUPION: I'm going to interpose  
8 an objection, when?

9 MR. LANDEN: Let's start with ever.

10 BY MR. LANDEN:

11 **A. Following the auditing process, if a**  
12 **pitch measured an inch and a half off the strike**  
13 **zone inside or outside, it would be in the**  
14 **buffer and it would be considered an acceptable**  
15 **pitch.**

16 Q. When you use the term, "Acceptable,"  
17 there, do I understand correctly, that the  
18 umpire's judgment that this should be considered  
19 a strike is upheld, but it would also be upheld  
20 and considered appropriate if the umpire had  
21 called it a ball?

22 MR. LUPION: Objection.

23 BY MR. LANDEN:

24 **A. That is correct, if it was called a**  
25 **ball, it -- he would get it correct. If it was**

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2       **called a strike, he would get an acceptable.**

3           Q.       Who, if anyone -- let me rephrase.

4                       Who made the decision that it is an  
5       inch and a half from the bottom of the strike  
6       zone?

7           A.       **I do not know.**

8           Q.       When was that decision made?

9           A.       **I do not know.**

10          Q.       Has it been that way since you got  
11       in to your current position in 2012?

12          A.       **Yes, that is my understanding.**

13          Q.       In terms of the visual  
14       representation of where pitches are located that  
15       is disseminated by Major League Baseball in  
16       realtime; realtime being defined as within a  
17       second or two of throwing the pitch, there's a  
18       slight lag, right?

19          A.       **Correct.**

20          Q.       But within a second or two,  
21       something appears in the media disseminated by  
22       Major League Baseball indicating the location of  
23       the pitch?

24          A.       **The graphics depicted on broadcast,**  
25       **et cetera.**

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2 somewhere in between?

3 **A. I do not specifically, no.**

4 Q. Who would know that?

5 **A. I would be guessing but --**

6 MR. LUPION: Don't guess.

7 **A. O.K., yes.**

8 Q. To whom would you require if you  
9 wanted to know the answer to that question?

10 **A. I would ask Perry Pierce.**

11 Q. How long is the data stored  
12 regarding the results of the raw data  
13 observations on the ZE system?

14 **A. I do not know.**

15 Q. Where is it kept?

16 **A. I do not know.**

17 Q. Is it kept?

18 **A. I do not know.**

19 Q. Looking at the earlier systems and  
20 immediately before the ZE system, is that data  
21 maintained today?

22 MR. LUPION: Object to the form.

23 **A. I'm not sure.**

24 Q. Let's move back in time. We're  
25 before ZE now?

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2 A. O.K.

3 Q. O.K.

4 I've asked you a series of questions  
5 about how ZE measures the strike zone.

6 A. O.K.

7 Q. Did QuesTec measure the strike zone  
8 in a similar way?

9 MR. LUPION: Object to the form.

10 A. ZE is a radar based system and  
11 QuesTec was a camera based system.

12 Q. Did -- I think you said it was  
13 SportsVision was the one in between?

14 A. In between, yes.

15 Q. Was it radar or was it camera?

16 A. Camera based.

17 Q. Did it measure -- let me do these in  
18 pieces.

19 Did the SportsVision system also  
20 generate a visual representation as the location  
21 of a pitch relative to the streak zone similar  
22 to the way ZE does?

23 MR. LUPION: Object to the form.

24 A. Could you -- could you rephrase  
25 that?



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Q. O.K., let me break it in pieces.

We already established that ZE has a rectangle?

A. Yup.

Q. And it generates --

A. Yes.

Q. -- a circle showing the location of each pitch?

A. Yes.

MR. LUPION: Let him finish before you nod or give a verbal yes.

Q. Now, did the SportsVision system also generate a visual representation in the form of a circle as to the location of a pitch in relation to the strike zone?

A. There was a graphical representation of where the pitch was in relation to the strike zone in the SportsVision system.

Q. The manner in which it was derived was based on cameras rather than radar, right?

A. That is correct.

Q. But the output, the visual output was also a circle indicating the location of the pitch relative to the strike zone, right?

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2 **A. That is correct.**

3 Q. Having gone back, QuesTec was a  
4 predecessor product, it too, was trying a visual  
5 graphical representation of the location of the  
6 pitch, right?

7 **A. That's correct.**

8 Q. It like SportsVision, and unlike ZE,  
9 was based on a camera system, right?

10 **A. That's correct.**

11 Q. It also provided an output showing  
12 the location of the pitch relative to the strike  
13 zone, right?

14 **A. That's correct.**

15 Q. Was there any change in the manner  
16 in which the output from those three systems was  
17 reported to the public when the transition from  
18 one system to the other took place?

19 MR. LUPION: Object to the form.

20 Can we take -- we're talking about three  
21 different systems and you're talking about  
22 transition so --

23 MR. LANDEN: We'll do one at a time.

24 BY MR. LANDEN:

25 Q. When it changed from QuesTec to



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2 BY MR. LANDEN:

3 A. I am not aware.

4 Q. In terms of the ZE outputs, again,  
5 just trying to make sure we're in the same time  
6 frame again, we're in the ZE period.

7 A. O.K.

8 Q. Is any disclosure made to any media  
9 outlets that a given pitch was considered  
10 acceptable by Major League Baseball that had  
11 been graphically represented as being outside  
12 the strike zone?

13 MR. LUPION: Object to the form.

14 A. No.

15 Q. Why not?

16 A. I think that's covered in our  
17 Collective Bargaining Agreement on what we're  
18 disclosing about pitch locations and  
19 correctness.

20 Q. Do the players know?

21 MR. LUPION: Object to the form, do  
22 the players know what?

23 MR. LANDEN: I'll rephrase to  
24 clarify.

25 BY MR. LANDEN:

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2 Q. Has MLB disclosed to the players  
3 that a pitch that is within 2 inches of the  
4 strike zone will be considered acceptable if it  
5 is called a strike?

6 A. I do not specifically know how that  
7 has been disseminated to the players.

8 Q. Do you know that it has been  
9 disseminated to the players?

10 A. I do not specifically know if that  
11 and when that has been disseminated to the  
12 players.

13 Q. Who, if anyone, would know if that  
14 has ever been disseminated to the players?

15 A. I would ask Peter Woodfork if I was  
16 going to ask anyone.

17 Q. Has it been disclosed to managers  
18 and coaches of the various teams that  
19 participate in the Major League Baseball, that  
20 the pitch that is within 2 inches of the either  
21 side or the top of the strike zone will be  
22 considered an acceptable pitch?

23 A. I believe it has been.

24 Q. When?

25 A. Each spring we hold meetings with

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2 Major League coaching staffs and I believe it is  
3 one of the talking points in those meetings, but  
4 I'm not 100 percent sure.

5 Q. Who presents the information that  
6 you're referring to at the spring meetings?

7 A. Which year?

8 MR. LUPION: The witness --

9 A. Which year?

10 Q. Let's start with this year.

11 A. This past year, those meetings were  
12 handled by Peter Woodfork, Joe Torre, Chris  
13 Young, and occasionally, representative, other  
14 representatives from the umpires or directors or  
15 supervisors depending on the location.

16 Q. Do you have any reason to believe  
17 that it was discussed at the spring meeting this  
18 year; that is, the two-inch buffer?

19 A. I believe -- I believe it was, but  
20 I'm not 100 percent confident of the agenda for  
21 those meetings.

22 Q. Just make sure that we're complete.

23 Do you have reason to believe that  
24 the one-and-a-half inch buffer at the bottom of  
25 the strike zone has been disclosed to the

1 5/6/19 - M. McKendry  
2 players?

3 MR. LUPION: Object to the form.

4 A. I believe it has been, but I am not  
5 100 percent sure on time and place and a method  
6 with which it was disseminated.

7 Q. Is it your understanding that the  
8 one-and-a-half inch buffer at the bottom of the  
9 strike zone has been disclosed to the players --  
10 excuse me -- to the managers and coaches of the  
11 various baseball teams?

12 A. I believe that it has been, but  
13 again, I don't know specifically when.

14 Q. Prior to 2019, who if anyone do you  
15 believe or understand -- strike that.

16 Prior to 2019, who disseminated  
17 information about the two-inch buffer or the  
18 one-and-a-half-inch buffer to the managers and  
19 coaches?

20 MR. LUPION: Object to the form.

21 You can answer.

22 BY MR. LANDEN:

23 A. Again, it would depend on who  
24 communicated with those groups and when they  
25 communicated with those groups.



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2           Q.     Before 2019, who if anyone disclosed  
3 information about the two-inch buffer or the  
4 one-and-a-half-inch buffer to the players or  
5 representatives of the players?

6                   MR. LUPION: Object to the form.

7           **A.     Again, it would depend on what**  
8 **conversations were being had, when they were**  
9 **being had and who was the representative at the**  
10 **Commissioner's office at that time.**

11           Q.     Do you have any reason to believe  
12 that information about the two-inch buffer was  
13 disclosed to representatives of Major League  
14 Baseball Players Association?

15           **A.     I believe it was, but I cannot**  
16 **verify that, either the time or the specific**  
17 **instance.**

18           Q.     Do you know -- let me rephrase.  
19                   Was the one-and-a-half-inch buffer  
20 disclosed to the Major League Baseball Players  
21 Association at any point in time?

22           **A.     Again, I believe it was, but I don't**  
23 **know a specific time or place.**

24           Q.     Was the two-inch buffer disclosed to  
25 the media at any point in time?



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2 A. I believe it has been, but again, I  
3 don't know the specific time or method for it.

4 Q. Has the one-and-a-half-inch buffer  
5 been disclosed to the media at any point in  
6 time?

7 A. I believe it has been; I'm not sure  
8 when or how it was disseminated.

9 Q. Has the two-inch buffer ever been  
10 disclosed to the public directly through any MLB  
11 communication outlets?

12 MR. LUPION: Object to the form.

13 A. I do not know.

14 Q. Has the one-and-a-half-inch buffer  
15 been disclosed to the public for any MLB  
16 communication outlets?

17 A. I do not know.

18 Q. Is the existence of the two-inch  
19 buffer or the one-and-a-half-inch -- let me  
20 rephrase.

21 Is the existence of a two-inch  
22 buffer a secret?

23 A. No.

24 MR. LUPION: Object to the form.

25 A. No.

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2           Q.     Is the existence of the  
3 one-and-a-half-inch buffer a secret?

4                   MR. LUPION:   Objection.

5           **A.     No.**

6           Q.     Are there any restrictions on the  
7 ability of anyone affiliated or associated with  
8 Major League Baseball to describe or discuss the  
9 two-inch buffer?

10                   MR. LUPION:   Object to the form.

11           **A.     I do not believe so but I'm not**  
12 **sure.**

13           Q.     Is there any contractual limitation  
14 placed on media outlets relating to their  
15 ability to disclose the existence of the  
16 two-inch buffer?

17                   MR. LUPION:   Object to the form.

18           **A.     I don't know.**

19           Q.     Is there any restriction on the  
20 ability of media outlets to describe or discuss  
21 one-and-a-half-inch buffer?

22           **A.     I do not know.**

23                   MR. LANDEN:   We are going to take a  
24 lunch break at this point.

25                   THE VIDEOGRAPHER: Going off camera,

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2 AFTERNOON SESSION, 1:07 P.M.

3  
4 THE VIDEOGRAPHER: One moment.

5 We're back on camera, the time is  
6 1:07.

7  
8 MATTHEW MCKENDRY, resumed the stand and  
9 testified further as follows:

10  
11 EXAMINATION - CONTINUED

12 BY MR. LANDEN:

13 Q. Sir, in your testimony before the  
14 lunch break, you had been describing that there  
15 are certain pitches that are deemed acceptable,  
16 yes?

17 A. Yes.

18 Q. And those are indicated to be  
19 acceptable not in realtime but shortly  
20 thereafter?

21 MR. LUPION: Object to the form of  
22 the question.

23 A. I --

24 MR. LUPION: I think -- I don't want  
25 to speak, but I think it depends on what

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2 the umpire called.

3 MR. LANDEN: That's fine as a matter  
4 of clarification.

5 BY MR. LANDEN:

6 Q. Is it fair to say that some pitches  
7 are indicated to be acceptable called as strikes  
8 even if the umpire had called them balls?

9 MR. LUPION: I'm going to object  
10 again, indicated when? And in what  
11 format?

12 MR. LANDEN: O.K.

13 BY MR. LANDEN:

14 Q. Does somebody make a determination  
15 that some pitches that are outside the strike  
16 zone, as you have described it, will be treated  
17 as acceptable calls by the umpire?

18 **A. There is an evaluation process that**  
19 **happens overnight where the pitches are audited,**  
20 **and they are assigned various grades.**

21 Q. What grades are you referring to?

22 **A. Correct, incorrect, acceptable, and**  
23 **adjusted.**

24 Q. Let's take each of those in turn.

25 **A. O.K.**

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2           Q.     And for purposes of the following  
3 line of questions, let's assume that each of the  
4 pitches that I'm referring to was called a  
5 strike by the umpire. O.K.?

6           **A.     O.K.**

7           Q.     What are the criteria used in the  
8 overnight audit for determining that a pitch  
9 that was called a strike by the umpire was  
10 quote, "correct," end quote.

11          **A.     A pitch that is within the measured**  
12 **strike zone.**

13          Q.     If a pitch has been called a strike  
14 by the umpire, what are the criteria for  
15 determining that it was acceptable?

16          **A.     A pitch that would fall within one**  
17 **of the buffer zones surrounding the strike zone.**

18          Q.     Assuming that the pitcher has --  
19 excuse me, assuming that the umpire has called  
20 the pitch a strike, what are the criteria under  
21 which the particular pitch would be deemed  
22 adjusted?

23          **A.     For a pitch that was called a**  
24 **strike?**

25                   **I have to think about that for the**



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2       correct scenario. So give me a moment.

3               Q.       Sure.

4               A.       (Pause in proceedings.)

5                       I can't think of a scenario where we  
6       would adjust a pitch from a -- that was called a  
7       -- that was called a strike.

8               Q.       And under what circumstances would a  
9       pitch that was called a strike be deemed quote  
10      "incorrect"?

11              A.       A pitch that did not touch the  
12      strike zone, or one of the buffers surrounding  
13      the strike zone.

14              Q.       Now, changing to the scenario in  
15      which the umpire has called it a ball.

16              A.       O.K.

17              Q.       Under what circumstances would a  
18      pitch be deemed correct?

19              A.       When a pitch does not touch the  
20      strike zone.

21              Q.       Under what circumstances is the  
22      pitch deemed incorrect?

23              A.       When a pitch falls within the strike  
24      zone.

25              Q.       Make sure that we're clear, at any

1                   5/6/19 - M. McKendry  
2 point in going over the plate?

3           **A.       That's correct.**

4           Q.       Under what circumstances if a pitch  
5 has been called a ball is it deemed acceptable?

6           **A.       For a pitch that hits the lower end  
7 of the strike zone and does not remain within  
8 the bottom of the strike zone.**

9           Q.       Can you elaborate on that last  
10 phrase a little bit please, does not stay within  
11 --

12           **A.       It does not -- it is not within the  
13 strike zone for the entirety of it crossing the  
14 plate. So you have a curve ball that clips the  
15 very front-end of the strike zone and then ends  
16 up on the ground, technically, that hit the  
17 strike zone and would be called a strike if  
18 called correct, but since it just clipped the  
19 front of the strike zone, ended up on the  
20 ground, it is acceptable for the umpire to call  
21 that pitch a ball.**

22           Q.       And under what circumstances if the  
23 umpire called it a ball would a pitch be  
24 adjusted?

25           **A.       That would be a pitch that contacts**

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2 the strike zone, but for the reasons the office  
3 believes it is reasonable for the umpire not to  
4 call that pitch a strike, things like catcher's  
5 influence, if the catcher dropped the pitch or  
6 did not present it properly, reached across the  
7 strike zone, things of that nature?

8 Q. When you say presented it properly,  
9 what do you mean?

10 A. If the catcher set up on the inside  
11 part of the plate, and then reached all the way  
12 across violently and appeared to push the ball  
13 out of the strike zone, if it is something that  
14 did not give the appearance of being a strike.

15 Q. Can you give any other examples?

16 MR. LUPION: Examples of what?

17 MR. LANDEN: Of adjusted pitches.

18 BY MR. LANDEN:

19 A. That's -- catcher's influence is the  
20 majority of our adjusted pitches, vast majority.

21 Q. Are there statistics maintained by  
22 MLB as to the proportion of the pitches that are  
23 adjusted?

24 A. Yes.

25 Q. Who maintains those?

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2 **A. Not that I'm aware of.**

3 Q. Once the evaluation has been done  
4 through the audit process, are pitches ever  
5 recategorized from one category to another as  
6 between and among correct, incorrect, acceptable  
7 or adjusted?

8 MR. LUPION: Object to form.

9 BY MR. LANDEN:

10 **A. There is an appeals process where an**  
11 **umpire or their union representative can submit**  
12 **pitches that they believe are not scored**  
13 **correctly.**

14 Q. Are any pitches recategorized on the  
15 initiative of the Office of The Commissioner  
16 itself after the overnight audit process that  
17 you described?

18 MR. LUPION: Object to the form.

19 **A. Other than through the appeals**  
20 **process, no.**

21 Q. Can you -- can -- let me rephrase.

22 Has the Office of The Commissioner  
23 ever appealed a determination by one of the  
24 auditors?

25 MR. LUPION: Objection.



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**A. The Office of The Commissioner is not involved in the appeals process, we don't appeal pitches.**

Q. So any appeal that takes place is initiated either by the union for the umpires or by an individual umpire, correct?

**A. That's correct.**

Q. Are you aware of any circumstances in which an umpire's stated pitch accuracy is adjusted after the overnight audit other than through the appeals process?

MR. LUPION: Object to the form.

Can you clarify what you mean by "stated pitch accuracy"?

MR. LANDEN: O.K.

BY MR. LANDEN:

Q. Is it fair to say, sir, that the umpire gets a report as an individual who is behind the plate, that umpire guess a report indicating the either number or proportion of the pitches that he called correct, incorrect, acceptable or adjusted?

**A. Yes, that's correct.**

Q. And he gets that the next day,



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2 generally?

3 A. Generally, yes.

4 Q. And it's transmitted by whom?

5 A. It's automated so the umpire  
6 receives it once the game is finalized by our  
7 scoring group.

8 Q. And does that report indicate to the  
9 umpire who was behind the plate that he got a  
10 given percentage of pitches correct?

11 A. It does, yes.

12 Q. Does it also do it by number of  
13 pitches?

14 A. It will give, yes, general  
15 information like the number of pitches that were  
16 called during the game.

17 Q. So I'm making up one just to convey  
18 the idea to see if we have this correct.

19 The data might show that the pitcher  
20 -- excuse me -- that the umpire called 99 out  
21 100 pitches correctly?

22 A. Correct, yes, it would show that.

23 Q. And it would show 99 percent?

24 A. Correct.

25 Q. And it might then show that the

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2 umpire had one pitch incorrect?

3 **A. Correct.**

4 Q. And in which case that would show as  
5 1 percent if that was the total 100 pitches,  
6 O.K.?

7 **A. Yes.**

8 Q. If there are changes in terms of  
9 those pitches deemed acceptable or adjusted, are  
10 those also shown on that report?

11 **A. Yes, they are.**

12 Q. Individually?

13 **A. I believe so, but I don't have the**  
14 **layout of those reports in front of me.**

15 Q. Back to the -- in the context now of  
16 the report that you have just described, is  
17 there a scenario in which the proportion of  
18 pitches identified as correct, incorrect,  
19 acceptable or adjusted are changed subsequent to  
20 the audit process other than as a result of an  
21 appeal?

22 MR. LUPION: Object to the form.

23 BY MR. LANDEN:

24 **A. I do not recall that ever happening.**

25 Q. When a pitch is deemed acceptable

1                   5/6/19 - M. McKendry  
2       because it's within the buffer zone as you  
3       previously testified, why is it deemed  
4       acceptable?

5           **A.       The design of that acceptable range**  
6       **is to account for what could be error involved**  
7       **in the tracking of the baseball, and to give the**  
8       **benefit of the doubt to the umpire.**

9           Q.       In regard to the setting of the  
10       parameters for the plate, who is responsible for  
11       establishing the side-to-side edges of plate in  
12       the radar system as currently employed by Major  
13       League Baseball?

14                   MR. LUPION: Object to the form.

15           **A.       Are you asking specifically who is**  
16       **on site to verify the size of the plate?**

17           Q.       Well, who -- not necessarily about  
18       in terms of the size of the plate, the size of  
19       the plate is uniform, isn't it?

20           **A.       Correct.**

21           Q.       I'm asking about the, who sets up  
22       the -- who calibrates, I suppose is the best way  
23       to put it, let me rephrase.

24                   Who calibrates the system for  
25       determining the parameters of the plate from

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2 A. Not that I'm aware of.

3 Q. O.K.

4 Is there a midyear evaluation of  
5 each umpire?

6 A. There is.

7 Q. Who does that?

8 A. That's a collaborative effort among  
9 the umpiring department.

10 Q. And in the year 2019, 2019 season,  
11 who are those within the umpiring department  
12 that are collaborating on that process?

13 A. We have not been through the midyear  
14 evaluation process yet for the 2019 season.

15 Q. Fair.

16 Who did it 2018?

17 A. 2018, it was the supervisors who had  
18 coverage over Major League crews, the directors,  
19 as listed previously, myself, Raquel Wagner,  
20 Peter Woodfork, Joe Torre.

21 Q. What information is considered in  
22 generating the mid season evaluations?

23 A. ZE reports, SURE results, field  
24 evaluations, incident evaluation reports. The  
25 umpire's functioning as a replay official, the



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2       umpire's handling of administrative duties;  
3       including his interaction with the Office and  
4       his peers and the Clubs. And I think that's  
5       pretty comprehensive.

6           Q.     In performing this collaborative  
7       function in 2018, how was the collaboration  
8       effectuated? I'll use this as an example, were  
9       there regular meetings, was there a conference  
10      call, exchange of emails, what's the manner or  
11      means by which the collaboration was  
12      effectuated?

13           A.     There's no meeting to go through the  
14      midyear evaluation process. We will discuss the  
15      timing of the process on our weekly conference  
16      call with the department, but each individual  
17      group handles their portion of the evaluation  
18      either in our evaluation system, which up until  
19      '18 was the Halogen system, or, submits it  
20      separately via email.

21           Q.     Now, you referred to I believe  
22      "their portion." Who, as among the various  
23      individuals that you've described, are  
24      responsible for concerning what portion of the  
25      personnel?



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A. The -- each crew of umpires is assigned a supervisor, and that crew supervisor will do the initial draft of the evaluation for the umpires on their crews omitting some categories that are handled by other members.

Q. So, for example, if a given supervisor has responsibility for the crew that Angel Hernandez has been serving, that supervisor does the initial draft but would not have the, necessarily, the information needed to assess performances replay official?

A. That's correct.

Q. So they would leave that blank?

A. That's correct.

Q. And who compiles the information from the various supervisors into an actual midyear report?

A. Myself, Raquel Wagner, Peter Woodfork all have periods of time where we will go through each individual report and add information from ourselves or from other sources.

Q. And to the extent that you are adding information from yourself, what is the

1 5/6/19 - M. McKendry

2 source of the initial information that you are  
3 adding?

4 **A. Depends on what the category is.**

5 Q. Well, what categories of information  
6 do you have information to supply in regard to a  
7 given umpire's midyear evaluation?

8 **A. The timing of the midyear evaluation**  
9 **process is done on a rolling basis as games are**  
10 **still being played. Those evaluations run**  
11 **through June 30. So the crew supervisor will**  
12 **submit his evaluation of the umpire's**  
13 **performance prior to June 30th. So there's a**  
14 **period of time where we are getting additional**  
15 **information from the crew supervisor that they**  
16 **would like or they think would be worthwhile**  
17 **including in that evaluation process.**

18 **And then there are other categories;**  
19 **for example, what you said about replay**  
20 **officials, that they're not privy to, their**  
21 **performance, and we'll get that from someone**  
22 **else, Justin, for example.**

23 Q. So you're the one who gets that  
24 information from the other source?

25 **A. Correct.**

1                                   **5/6/19 - M. McKendry**

2           Q.     What information do Wagner or  
3 Woodfork receive from other sources that are  
4 then considered in connection with the midyear  
5 evaluations?

6                   MR. LUPION: Object to the form.

7                   Maybe we can take those one at a time.

8                   MR. LANDEN: O.K.

9 BY MR. LANDEN:

10          Q.     What information does Wagner get  
11 from any other source to include in the midyear  
12 evaluation?

13          A.     **On a day-to-day basis, she oversees**  
14 **the SURE system, so she will run reports on the**  
15 **SURE system and add in information on plays on**  
16 **bases.**

17          Q.     What type of information is added to  
18 the midyear evaluation by Ms. Wagner?

19          A.     **General proofreading, language**  
20 **edits, adding supporting examples from field**  
21 **evaluations, things of that nature.**

22          Q.     And what information, if any, is  
23 gathered by Mr. Woodfork that is added into the  
24 analysis for the midyear evaluations?

25          A.     **Mr. Woodfork oversees the umpiring**

1                               **5/6/19 - M. McKendry**  
2   **department, so he has some general information**  
3   **based on his knowledge of overseeing the umpires**  
4   **and the staff as a whole.**

5               Q.     Well, does Mr. Woodfork fill out  
6   game evaluations for individual games?

7               A.     **He does not.**

8               Q.     What category or categories of  
9   information does Mr. Woodfork add to the process  
10   based on his general knowledge?

11              A.     **His personal interactions with**  
12   **umpires, his observation on their handling of**  
13   **situations on and off the field.**

14              Q.     Does he have any other information  
15   that he adds, Mr. Woodfork adds, at the midyear  
16   evaluation other than what you just testified  
17   about?

18              A.     **Nothing that I can think of off the**  
19   **top of my head.**

20              Q.     Are assessments made relative to  
21   various categories as to whether an umpire  
22   meets, exceeds, or fails to meet various  
23   criteria?

24              A.     **Yes, that would be the rating system**  
25   **for each individual category.**



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point --

MR. LUPION: Object.

Q. -- correct?

MR. LUPION: Objection.

**A. No, not necessarily.**

Q. Under what circumstances do umpires receive a determination of meets although they have received multiple exceeds in the time period before the midyear evaluation?

**A. All of the ratings are decided on a case-by-case basis based on the individual circumstances surrounding them. Just because one observer may deem something to have exceeded standards on that given day doesn't necessarily mean that when looked at the entire scope of the umpire's work during that half of the season or in relation to the work of all of the other 76 Major League umpires, that that would exceed the standard expected of a Major League umpire.**

Q. In making the assessment that you just described, what human beings make that determination as to whether the exceeds in the first half of the season are worthy, taken in context, of an exceeds on the midyear



1                   **5/6/19 - M. McKendry**

2           Q.     Does each umpire have an evaluation  
3 compilation in which the information relative to  
4 their midyear evaluation is aggregated?

5                   MR. LUPION: Object to the form.

6           A.     **Could you restate the question,**  
7 **please, to be more specific about what you're --**

8           Q.     O.K., let's take Angel Hernandez?

9           A.     **O.K.**

10          Q.     As to Angel Hernandez, if you are  
11 considering the information that's about to lead  
12 to a final midyear grade, is the information  
13 from the various sources that you have  
14 described, gathered or compiled in one place?

15                  MR. LUPION: Object to the form.

16          A.     **The evaluation for each individual**  
17 **umpire is kind of a living and breathing**  
18 **document throughout the process. So it is**  
19 **originally submitted by the supervisor and it is**  
20 **edited at various steps along the way.**

21          Q.     Is it maintained in Microsoft Word  
22 form?

23          A.     **No, it's in Halogen system.**

24          Q.     So in the Halogen system for Angel  
25 Hernandez for the first half of 2018, using that

1                   5/6/19 - M. McKendry  
2       as an example, is the information showing the  
3       initial supervisors' grades for evaluations on  
4       various criteria maintained in the Halogen  
5       system as such?

6           **A.       I do not believe so; I think it's**  
7       **just the final form that is sent to the umpire**  
8       **that is maintained in Halogen.**

9           Q.       So the changes that are made from  
10       the original supervisors' grades to the ultimate  
11       midyear evaluation grades is overwritten?

12                   MR. LUPION: Object to the form.  
13       BY MR. LANDEN:

14           **A.       The only document that's saved in**  
15       **Halogen right now that you could go back and**  
16       **look at from the 2018 process is the final**  
17       **evaluation that's sent to the umpire.**

18           Q.       And that means that the original  
19       supervisor' grades have been overwritten, right?

20                   MR. LUPION: Objection.

21           **A.       The only form that's in there is the**  
22       **final form.**

23                   MR. MURPHY: I didn't hear, I'm  
24       sorry.

25           **A.       The only form that's in there is the**

5/6/19 - M. McKendry

**final form.**

BY MR. LANDEN:

Q. Do you know whether the record of the inputs that were received from various participants in the process that you've described are maintained in any other form outside the Halogen system?

A. I don't believe there's anything that's consistently maintained from year to year; each individual year is treated differently at points.

Q. Now, we've been discussing the process as it relates to the first half of the year 2018.

When you reach that, the end of the process, who makes the final call in terms of what grade to give on each of the criteria?

A. Ultimately, it is a collaboration of Joe Torre and Peter Woodfork.

Q. Does one have more say than the other in that process?

A. Peter reports to Joe, so...

Q. So is it fair to say that as to the midyear evaluations of umpires in 2018, the

1 5/6/19 - M. McKendry

2 can.

3 MR. LUPION: And maybe we can take a  
4 break; I don't want to do it when there's  
5 a question pending.

6 MR. LANDEN: Let's just finish this  
7 little round and then we'll take a break,  
8 O.K., just to make sure that can we have  
9 continuity on this point.

10 MR. LUPION: Sure.

11 BY MR. LANDEN:

12 Q. As to the year-end evaluations,  
13 you've described the process for 2018, what, if  
14 anything, was different in any of the years  
15 between 2012 and 2017?

16 A. In 2014 was the end of the  
17 Collective Bargaining Agreement and I believe  
18 there was a change, there were some changes to  
19 the form in -- that changed the Bargaining  
20 Agreement.

21 Q. Anything else?

22 A. Not that I can think of right now.

23 Q. And as to the midyear evaluations,  
24 you've described the process of how it works for  
25 the year 2018. Is there any difference between



1                   5/6/19 - M. McKendry  
2     the manner in which it was done in 2018, and the  
3     way it was done in the years 2012 through 2017?

4           **A.     In the form of --, in the format of**  
5     **the process, no, not really.**

6           Q.     Was there any other change other  
7     than in the format of the process?

8           **A.     Other than potential changes to the**  
9     **form itself based on the Bargaining Agreement**  
10    **changes, no.**

11          Q.     O.K.

12                   MR. LANDEN: Let's take a break.

13                   THE VIDEOGRAPHER: Going off camera,  
14     the time 2:18.

15                   (Whereupon, a recess was taken.)

16                   THE VIDEOGRAPHER: We're back on  
17     camera, the time is 2:37.

18    BY MR. LANDEN:

19          Q.     Sir, during your earlier answers you  
20     were describing the Halogen system, how long has  
21     the Halogen system been in effect or operation?

22           **A.     I believe we started using Halogen**  
23     **for umpire evaluations in 2010 season, but that**  
24     **was prior to me starting with the umpiring**  
25     **department so I can't be 100 percent sure.**



1 5/6/19 - M. McKendry

2 MR. LUPION: Object to the form.

3 A. To submit their portion of the  
4 midyear and year-end evaluation process, they  
5 have to complete it within the Halogen system.

6 Q. So to clarify, the actual input of  
7 the grades into the Halogen system by the  
8 supervisors is done directly by the supervisors  
9 themselves, correct?

10 A. That's correct.

11 Q. Have the respective supervisors'  
12 evaluations of the various umpires continue to  
13 be overwritten after this lawsuit began?

14 MR. LUPION: Object to the form.

15 BY MR. LANDEN:

16 A. Our process for how we handle  
17 evaluations has not changed in my entire time in  
18 the umpire department.

19 Q. And that includes time, both, before  
20 and after the filing of this lawsuit, right?

21 MR. LUPION: Objection, asked and  
22 answered.

23 A. I don't know specifically the dates  
24 on when it was filed, but I would assume it  
25 would fall within that time slot.

1                                   5/6/19 - M. McKendry  
2       chief positions and are considered for crew  
3       chief positions are discussed. And we always  
4       try to hire the person who we feel is best for  
5       that role given all of the circumstances  
6       regardless of their background.

7               Q.     Is it your understanding that there  
8       has never been an African American crew chief  
9       assigned on a permanent basis in Major League  
10      Baseball?

11                   MR. LUPION: Object to the form.  
12       BY MR. LANDEN:

13               A.     Are you talking about a specific  
14      time period or --

15               Q.     Let me ask it a different way.

16               A.     Sure.

17               Q.     Can you name any African American  
18      who has held the position of permanent crew  
19      chief in Major League Baseball?

20                   MR. LUPION: Objection.

21               A.     On a permanent basis, I cannot name  
22      one off the top of my head.

23               Q.     Can you name anyone who has held the  
24      position of permanent crew chief in Major League  
25      Baseball who is born in another country other

1 5/6/19 - M. McKendry

2 than the United States of America?

3 MR. LUPION: Objection.

4 A. I don't know off the top of my  
5 head -- actually yes, yes, I can. Jim McKeon  
6 was born in Canada.

7 Q. And anybody else?

8 A. Off the top of my head, no.

9 Q. Can you identify anyone who has been  
10 appointed to a permanent crew chief position in  
11 Major League Baseball who's Hispanic or Latino  
12 origin?

13 MR. LUPION: Objection.

14 A. Yes, Richie Garcia was a crew chief.

15 Q. Was he the only one?

16 A. He's the only one that I can think  
17 of right now.

18 Q. And isn't it true that he was  
19 ultimately terminated?

20 MR. LUPION: Objection.

21 A. I don't remember the circumstances;  
22 I know he was involved in 1999.

23 Q. So there has been no Latino or  
24 Hispanic permanent crew chief at any time from  
25 2000 to the present?

1 5/6/19 - M. McKendry

2 A. So I'm making an assumption that  
3 that's what we're referencing in the Does Not  
4 Meet column.

5 Q. Some does the indicator of a number  
6 on exceeds or DNM, reflect how many exceeds or  
7 DNMs there were in that particular umpire's  
8 entire season on an individual game basis?

9 A. I believe so, I believe it's based  
10 on individual field observations or situation  
11 management issues.

12 Q. Now, in regards to the exceeds in  
13 2012, back on 8064, [REDACTED] had three  
14 exceeds, right?

15 A. Correct.

16 Q. Angel Hernandez had six, right?

17 A. Correct.

18 Q. In 2013, [REDACTED] had two, Angel  
19 Hernandez had three exceeds, right?

20 A. Correct.

21 Q. In 2014, Angel had one exceeds and  
22 -- excuse me, [REDACTED] had one exceeds, and  
23 Angel Hernandez had four exceeds?

24 A. Correct.

25 Q. 2015, [REDACTED] and Angel

1 5/6/19 - M. McKendry

2 Hernandez had one exceeds?

3 **A. That's correct.**

4 Q. And in 2016, they both had two  
5 exceeds?

6 **A. That's correct.**

7 Q. And in 2017, [REDACTED] had one  
8 exceeds, and Angel Hernandez had two exceeds,  
9 correct?

10 **A. That is correct.**

11 Q. This particular form of presentation  
12 as reflected in the potential crew chiefs for  
13 2018, is that format the same format that was  
14 used for the decision-making process regarding  
15 promotion to crew chief in the years 2012 and  
16 thereafter?

17 MR. LUPION: Objection.

18 BY MR. LANDEN:

19 **A. I do not recall that specific format**  
20 **being used as a tool in the decisions making**  
21 **process in previous years. I know that some of**  
22 **the information that's included on that form**  
23 **would've been considered.**

24 Q. Did you do such a compilation or  
25 comparison in any of the other years even if it



1 5/6/19 - M. McKendry

2 MR. LUPION: Objection.

3 A. At the time that crew chief  
4 decisions were made, they were not the best  
5 candidate for that appointment.

6 Q. Were they qualified for that  
7 appointment?

8 MR. LUPION: Objection.

9 A. It would really depend on an  
10 individual -- each individual case.

11 Q. Is Kerwin Danley qualified to be a  
12 permanent crew chief?

13 MR. LUPION: Objection.

14 A. Kerwin Danley is qualified to be  
15 considered a permanent crew chief and when we  
16 have another opening, hopefully, he will apply  
17 and we will completely vet him at that time.

18 Q. My question is whether he's  
19 qualified to be a crew chief, not whether he's  
20 qualified to apply to be a crew chief?

21 MR. LUPION: The witness answered  
22 your question.

23 BY MR. LANDEN:

24 Q. That's what I'm asking, go ahead and  
25 answer if he's qualified to be a crew chief, not

1                   5/6/19 - M. McKendry  
2       whether he's qualified to apply to be a crew  
3       chief?

4                   MR. LUPION: I'm going to object to  
5                   the question. If the witness wants to  
6                   change his testimony, he can or stick with  
7                   his testimony.

8                   A.     Kerwin Danley serves as an interim  
9       crew chief for us at points throughout the year.  
10      And, we would not put him in a role as an acting  
11      crew chief if we didn't think that it was -- he  
12      was someone who we would consider as a crew  
13      chief candidate if a position opened up.

14                  Q.     What about Mr. Marquez, is he  
15      qualified to be a crew chief?

16                  MR. LUPION: Objection.

17                  A.     I'll give you the same answer that I  
18      gave for Kerwin, if there are opportunities for  
19      him to be an interim crew chief, we would allow  
20      him to be an interim crew chief during the year  
21      and if a full-time opportunity opened up, we  
22      would consider him against the other candidates  
23      that are under consideration.

24                  Q.     I'm trying to see if we can approach  
25      this in a way that you will actually answer the

1                   5/6/19 - M. McKendry  
2      question I've asked.

3                   MR. LUPION: Objection. And you're  
4      bordering on badgering. The witness  
5      answered the question.

6                   MR. LANDEN: The witness has not  
7      answered the question that I asked.

8                   MR. LUPION: The witness, in fact,  
9      answered the question. You asked if he  
10     was qualified to be a crew chief and if  
11     you read the testimony, he said if there  
12     was an interim crew chief opening, they  
13     permit Mr. Danley and Mr. Marquez to  
14     function as interim crew chiefs.

15                  MR. LANDEN: O.K., let me phrase it  
16     in a way that will perhaps clarify.

17   BY MR. LANDEN:

18                  Q.     Is Mr. Marquez qualified to be a  
19     permanent crew chief?

20                  MR. LUPION: Object.

21                  **A.     He's qualified he -- he's qualified**  
22     **to serve as an interim crew chief. If we had an**  
23     **opening and he applied to be a crew chief, we**  
24     **would consider him to be a crew chief.**

25                  Q.     That is not my question.

1 5/6/19 - M. McKendry

2 **A. O.K.**

3 Q. The question is a yes-or-no question  
4 as to whether Alfonso Marquez is qualified to be  
5 a permanent crew chief?

6 MR. LUPION: Object to the form.

7 BY MR. LANDEN:

8 Q. If you want to explain your answer,  
9 feel free but it's yes or no, is he qualified or  
10 isn't he?

11 MR. LUPION: Objection. Don't  
12 answer if you can't answer on a yes-or-no  
13 basis.

14 **A. I feel comfortable with the answer**  
15 **that I've given.**

16 Q. Is Kerwin Danley qualified to be a  
17 permanent crew chief?

18 MR. LUPION: Objection.

19 **A. Again, I feel comfortable with the**  
20 **answer that I've given.**

21 Q. I don't think you've answered that  
22 question. I've asked that question before.

23 MR. LUPION: There's no question  
24 pending right now.

25 MR. LANDEN: There is a question

1                   5/6/19 - M. McKendry  
2                   pending right now. I'm asking the witness  
3                   to answer the question.

4       BY MR. LANDEN:

5           Q.     Is Kerwin Danley qualified to be a  
6           permanent crew chief?

7                   MR. LUPION: Asked and answered.  
8                   The witness said he's relying on his  
9                   previous testimony to that question.

10                  MR. LANDEN: That question has not  
11                  been previously asked. You, counsel, made  
12                  the distinction between permanent and  
13                  interim crew chief. I'm asking now  
14                  specifically about permanent to clarify  
15                  the record on that point.

16           Q.     It's a question about permanent, is  
17           it qualified or isn't he?

18                  MR. LUPION: Objection.

19           **A.     We are not making a decision on a**  
20           **permanent crew chief right now. There's no crew**  
21           **chief opening. If there was an interim crew**  
22           **chief opportunity available right now, we would**  
23           **consider placing Kerwin Danley or Alfonso**  
24           **Marquez in that role.**

25           Q.     Because they're qualified, right?



1 5/6/19 - M. McKendry

2 MR. LUPION: Objection.

3 A. They're qualified to serve as an  
4 interim crew chief.

5 Q. They're qualified to be permanent  
6 crew chief, aren't they?

7 MR. LUPION: Objection.

8 A. They've qualified to serve as  
9 interim crew chief right now. When we make a  
10 decision on a permanent crew chief, then we'll  
11 evaluate them as a permanent crew chief.

12 Q. Has Alfonso Marquez been qualified  
13 to be a permanent crew chief at any point in  
14 time between 2012 and the present?

15 MR. LUPION: Objection.

16 A. Alfonso Marquez has been qualified  
17 to be considered for the crew chief openings as  
18 they arrive.

19 Q. And is that because --

20 A. There were better candidates for  
21 those positions when they became open.

22 Q. Let me try to put this in -- is it  
23 your understanding that someone can be qualified  
24 for a position and not be the best candidate?

25 MR. LUPION: Object to the form.

# **EXHIBIT F**

1                   **P. Woodfork - 6/21/19**  
2       **salary arbitration, which was roughly a month or**  
3       **two, and I was not consulting for anyone and I**  
4       **started a new job in March of 2011.**

5           Q.       And who did you go to work for in  
6       2011?

7           **A.       Office of the Commissioner.**

8           Q.       Who hired you at the Office of the  
9       Commissioner?

10          **A.       I was hired -- I was hired by Rob**  
11       **Manfred and Joe Torre.**

12          Q.       What was your title?

13          **A.       Senior Vice President Baseball**  
14       **Operations.**

15          Q.       Who did you report to?

16          **A.       Joe Torre.**

17          Q.       How long did you stay in the  
18       position of Senior Vice President of Baseball  
19       Operations?

20          **A.       I carried that title through April**  
21       **of 2018.**

22          Q.       Did your title change?

23          **A.       Yes.**

24          Q.       Now what is it?

25          **A.       Senior Vice President of On-Field**

1 P. Woodfork - 6/21/19

2 A. I met with counsel.

3 Q. When was that?

4 A. Within the last -- I met yesterday,  
5 and two -- roughly two weeks ago.

6 Q. Starting in 2011 through the  
7 present, who at the Office of the Commissioner  
8 decides which umpires go to the World Series?

9 A. The process of World Series  
10 selection happens through a meeting, a number of  
11 meetings -- a meeting, usually a set meeting, in  
12 2000 -- excuse me, I'm going to start 2011.

13 Q. Yes.

14 A. I think it's changed slightly over  
15 time, but predominantly the process is the group  
16 meets, the supervisors, directors, Joe Torre,  
17 myself, other umpire department members discuss  
18 the umpires in a meeting, multiple days usually.  
19 Umpires are asked -- I mean supervisors are  
20 asked usually previously to come up with their  
21 umpires that they think is deserving of the post  
22 season, that post season process. And then  
23 there's phone calls after that, make sure  
24 everyone is kind of on the same page, the  
25 supervisors, the directors, myself, usually Joe

1 P. Woodfork - 6/21/19

2 Torre, and that sets your post season.

3 Those post season umpires that work  
4 in the Division Series are usually the ones that  
5 are -- have the opportunity to work in or are  
6 eligible to work in the World Series. Those  
7 World Series umpires are then discussed, those,  
8 excuse me, those Division Series umpires are  
9 then discussed with the group, supervisors,  
10 directors, again, to see who the best and most  
11 deserving of the World Series. I discuss it  
12 with Joe Torre among those groups. There's  
13 recommendations that come, and Joe after  
14 discussions with myself, Joe usually -- is the  
15 final decision maker.

16 Q. And is Joe the final decision-maker  
17 in the promotion of crew chiefs?

18 A. A similar process --

19 Q. I'm not interested in the process.

20 I just want to know is Joe Torre the  
21 final decision-makers in promoting crew chiefs?

22 A. Joe gets recommendations from,  
23 again, the group, and Joe and I discuss it and  
24 Joe makes the final decision.

25 Q. Why are there no minority crew



1 P. Woodfork - 6/21/19

2 A. The game evaluation reports are a  
3 one-day snapshot; the evaluation of an umpire  
4 comes from many different inputs. Those game  
5 reports again are not something that, in the  
6 process of determining crew chief, I can say  
7 that I'm looking at.

8 Q. I understand that one-game  
9 evaluation is one snapshot of one game.

10 What I'm saying is: Do you take the  
11 collective amount of the game evaluations in to  
12 your consideration when promoting an umpire to  
13 crew chief?

14 A. Again, looking at -- I do not look  
15 at game evaluations. The game evaluations as a  
16 separate document while determining the crew  
17 chief process.

18 Q. Does Mr. Torre?

19 A. I can't answer for Joe; you need to  
20 ask him that question.

21 Q. Well, you work with him.

22 Do you know what he considers when  
23 he's deciding who should be promoted to crew  
24 chief?

25 A. Again, I know we discussed, we -- I

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2 have not discussed with Joe Torre game  
3 evaluations.

4 Q. That's not my question.

5 A. I guess I don't understand your  
6 question.

7 Q. Do you know what Joe Torre considers  
8 when he decides whose going to become a crew  
9 chief?

10 A. IN my discussion with Joe, i talk to  
11 Joe, Joe focuses on leadership. The documents  
12 that he's -- the game evaluations are not  
13 something that I discuss with Joe.

14 Q. Is that the only thing that Joe  
15 focused, on leadership, when he decides who is  
16 going to be promoted for crew chief?

17 A. Joe looks at -- my apologies for  
18 that. Joe looks at the umpire; leadership is  
19 part of that skill set that's important.  
20 Obviously, consistency, things that go in to  
21 leadership, accountability, you know, umpire,  
22 being there working, he does look at, you know,  
23 experience, positive experience in the role to  
24 be a crew chief, all things, among other things,  
25 the total evaluation of the umpire.

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2           Q.     Leadership is how an umpire conducts  
3 himself on and off the field, correct?

4                   MR. LUPION:   Objection to form.

5                   BY MR. MURPHY:

6           **A.     Leadership, you know, how I perceive**  
7 **leadership, you know, is their your overall**  
8 **performance, how you handle situations, how you**  
9 **-- results, your ownership or accountability,**  
10 **being a or remaining a positive influence on**  
11 **those around, all of those things help to make**  
12 **up leadership.**

13                   Again, leadership is, you know,  
14 those things that, it's a little different, I  
15 know, for each person, but leadership skills  
16 that we promote are staying above the fray,  
17 handling situations, being a positive influence.

18                   Those are just some of the examples.

19           Q.     Handling situations means handling  
20 situations on the field, right?

21           **A.     In all situations, show leadership**  
22 **in handling situations on the field, handling**  
23 **situations off the field, dealing with clubs on**  
24 **and off -- clubs on the field, rain situations,**  
25 **these are all parts of leadership.**

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2 MR. LUPION: The question was: Did  
3 you look at game evaluation reports.

4 In connection with what?

5 BY MR. MURPHY:

6 Q. Did you --

7 **A. Can I say something first?**

8 Q. Yes.

9 MR. LUPION: No, no, no, there's no  
10 question pending. So there's no question  
11 pending.

12 You're entitled to a clear answer,  
13 counsel is going to try to formulate -- a  
14 clean question, counsel is going to try to  
15 formulate a clear question.

16 **A. I'm not trying to be difficult.**

17 MR. LUPION: Don't. There's no  
18 question pending:

19 THE WITNESS: I understand --

20 MR. LUPION: You don't have to  
21 explain yourself. There's no question  
22 pending.

23 BY MR. MURPHY:

24 Q. Between 2012 and the present, do you  
25 look at midyear and end-of-year evaluations of

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2 umpires when you decide what your opinions is  
3 going to be on the promotion of crew chiefs?

4 A. Again, during the process, I feel  
5 like from my viewpoint I have a strong feeling  
6 of umpires. I've seen midyear evaluations  
7 previously. I've seen year-end evaluations  
8 through the process, which is usually coinciding  
9 with the process of looking at crew chief  
10 reviews.

11 So, again, I know the information; I  
12 don't specifically put them in front of me.

13 Q. How do you know the information if  
14 you don't see it?

15 A. As I said --

16 MR. LUPION: Objection to form.

17 BY MR. MURPHY:

18 Q. Go ahead.

19 A. Again, as I said, I think  
20 previously, I've seen the midyear evaluations,  
21 reviewed them all before they've gone out. The  
22 yearend evaluations are usually in that process.  
23 So I've viewed them. Again, the specific  
24 question is if I'm viewing them as I'm making my  
25 decision, usually not.



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2 own decision as to who should be promoted to  
3 crew chief?

4 A. Again, I -- I think it, I'm not  
5 doing a good job of explaining it and I  
6 apologize for that.

7 Q. It may be just that I'm dense --

8 A. I don't think --

9 Q. -- if that's the case?

10 MR. LUPION: We don't need to engage  
11 in this, the witness was about to answer.

12 MR. MURPHY: I was trying to be  
13 gracious. I was trying to gracious.

14 MR. LUPION: You're always gracious.

15 MR. MURPHY: I try to be.

16 BY MR. MURPHY:

17 A. I will say on the record, I will say  
18 on the record, I don't think you're dense.

19 Q. I appreciate it?

20 A. I am probably not doing a great job  
21 of explaining it.

22 Q. I appreciate it.

23 A. I think the process is more fluid  
24 than the -- the one day you're established as a  
25 crew chief or you apply as a crew chief, this

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2 information, as I said, I look at part of the  
3 midyear process, part of the yearend process and  
4 part of the daily, weekly phone calls that we  
5 have to discuss umpiring, discuss our umpires'  
6 performance, all of that continual information,  
7 it's continuous. And we're making our  
8 decisions.

9 It's not a slash one moment, one day  
10 decision; this is a fluid decision that happens  
11 over time. People improve and you provide  
12 feedback and you understand these things. And I  
13 think that's probably the disconnect we're  
14 having.

15 I reviewed, I understand the midyear  
16 reviews, I understand the umpires, I understand  
17 how they're performing on a day-to-day basis.  
18 And I think that's the difference, or struggle  
19 that maybe I'm having explaining.

20 Q. That one I understood, thank you.

21 A. It takes me a little while.

22 Q. Major League Baseball hires  
23 supervisors and observers to watch umpires  
24 during the game, correct?

25 A. Correct.

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2 BY MR. MURPHY:

3 A. Other supervisors or observers file  
4 game reports on games that Angel Hernandez has  
5 worked.

6 Q. What is the criteria to be selected  
7 to be World Series?

8 MR. LUPION: Are we done with this  
9 document?

10 MR. MURPHY: You can put it to your  
11 left side and you'll be done, or your  
12 right side.

13 MR. LUPION: I'm going to put it to  
14 my right side.

15 You can put that document away.

16 A. Do you want it back?

17 MR. LUPION: Just leave it in front  
18 of the court reporter.

19 BY MR. MURPHY:

20 A. Excuse me.

21 Q. What is the criteria for selecting  
22 World Series umpires?

23 A. Again, as I said, the process goes  
24 through, we're looking at performance, both, in  
25 the current season and past performance and

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2 consistency in the umpires.

3 One, you know, obviously in the post  
4 season, the one kind of requirement or at least  
5 historically what we have done is that you have  
6 worked in the Division Series.

7 Q. But it's not solely merit based, am  
8 I right?

9 MR. LUPION: Objection to form.

10 A. I feel like we believe it is. I  
11 mean, the detail process, but it may not be --  
12 it may not be your highest performing umpire  
13 that works in the World Series that year based  
14 on all factors. There may be other factors like  
15 the World Series previously, needs time off,  
16 didn't want to work back to back World Series,  
17 want to make sure that other -- that other  
18 series are strong. Championship Series is an  
19 important series as well, the Division Series is  
20 obviously important, Wild Card is important, so  
21 there is some balance that goes in to  
22 evaluation.

23 That being said, they're high  
24 performing umpires all the way around that work  
25 the World Series.

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2 MR. MURPHY: It wasn't answered.

3 BY MR. MURPHY:

4 A. Angel has earned the opportunity to  
5 run that crew. There are times when Angel  
6 successfully performs in that, and there are  
7 other times where he seems to struggle.

8 Q. Would you appoint someone to be an  
9 interim crew chief that was not capable of  
10 running a crew?

11 A. I think the goal -- the interim crew  
12 chief at times, depending on how many we're  
13 working with, is to give people an opportunity  
14 to show people that they can manage the crew,  
15 that they can run that crew.

16 So at times, you're taking people  
17 that may or may not; you're not 100 percent sure  
18 how it's going to turn out and I think it's that  
19 opportunity that we need to provide to employees  
20 to see if they can be successful.

21 So again, the hope is that that  
22 person can run a crew.

23 Q. Is Kerwin Danley capable of running  
24 a crew?

25 A. Kerwin Danley is serving as an



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2       interim crew chief right now, I think he's been  
3       working successfully.

4           Q.       And is Alfonso Marquez capable of  
5       running a crew?

6           A.       Alfonso has been an interim crew  
7       chief; fairly recently given that opportunity.

8           Q.       Has Laz Diaz ever been given the  
9       opportunity to run a crew?

10          A.       I would have to double-check, but  
11       I'm pretty sure Laz Diaz has been given the  
12       opportunity to run a crew.

13          Q.       And how about CB Bucknor?

14          A.       I don't know.

15          Q.       Did Major League Baseball ever  
16       recognize at any time between 2011 and 2016,  
17       that it had a diversity problem within the  
18       umpire staff?

19                 MR. LUPION: Objection to form.

20          A.       How would you define your problem?

21          Q.       Lack of minorities.

22          A.       Again, I think we recognize that we  
23       didn't -- our goal is to have greater minority  
24       representation, I do think we represent, we  
25       recognize that we need to get greater minority

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2       discussed by the directors could go in to this.  
3       Information that -- you know, was discussed on  
4       the conference calls on performance.

5           Q.     Would Matt McKendry have the right  
6       to provide input into these comments in 2011?

7           A.     Matt McKendry, as far as I remember  
8       was not in this department in 2011; that being  
9       said --

10          Q.     You answered the question.  
11                 Did you --

12          A.     I haven't fully answered the  
13       question if you wouldn't mind.

14                 He was working in Situation  
15       Management so he might have provided information  
16       on Situation Management that could've been  
17       reviewed by umpires, supervisors or directors  
18       that comment on it.

19          Q.     Did you have the right to provide  
20       input?

21          A.     I would review and provide input.

22          Q.     Joe Torre?

23          A.     Joe would review.

24          Q.     Did he provide content?

25          A.     I don't recall on this.

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2           Q.     Randy Marsh would be able to as  
3 well, am I right?

4           **A.     As a director, he could've provided**  
5 **content that went in to this.**

6           Q.     Are your answers the same for the  
7 subsequent years of 2012, 2013, 2014, 2015, and  
8 2016 as it relates to the individuals you just  
9 mentioned?

10                   MR. LUPION: Objection to form.

11           BY MR. MURPHY:

12           **A.     More broadly, supervisors,**  
13 **directors. Change is obviously dynamic on**  
14 **different categories are filled out -- could be**  
15 **filled out by different people in the**  
16 **administrative component. So additional people**  
17 **could've provided information or feedback on --**

18           Q.     Who are those people?

19                   MR. LUPION: I don't think the  
20 witness was done again, Kevin. I know you  
21 might be looking to make a flight, but the  
22 witness is entitled to give you a complete  
23 answer.

24           **A.     That could provide -- administrators**  
25 **on administrative issues could be providing**

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2 feedback. That would be, you know, Cathy Davis,  
3 Raquel Wagner, Alex Bermudez, again on the  
4 administrative component, they would provide  
5 information and feedback.

6 On the plate judgment, it could be  
7 our ZE people, you know, objective data, the  
8 supervisors and the directors. Bruce Froemming,  
9 our special consultant, special advisor.

10 Q. The administrative components, do  
11 you have any personal information on who  
12 provided the information in the second sentence  
13 that says, "You need to work on your  
14 communication skills with on- field personnel  
15 particularly because your approach has fostered  
16 a club perception that you try to put yourself  
17 in the spotlight by seeing things that other  
18 umpires do not."

19 A. I do not recall.

20 Q. If you see the comment on top of  
21 1505, you received a number of exceeds for game  
22 and situation management, balk calls.

23 Do you believe that that statement  
24 is in conflict with fostering a club perception  
25 that you try to put yourself in the spotlight by

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A. Again, I think there are obviously some that think there's a perception problem. I think he's, you know, shown improvement this year. Once again, it's the consistency that will determine it. But I think he has shown consistency this year provided being given an opportunity to be a crew chief. And again, it's a fluid process, you know, that's the consistency we're looking for.



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2 that?"

3 And at the time, what position was  
4 Mr. Hahn in with the Chicago White Sox?

5 **A. I don't recall.**

6 Q. And you responded for Angel's  
7 midyear evaluation, "Note that Joe spoke with  
8 Angel," actually you didn't respond to him, you  
9 were just doing it to yourself with a copy to  
10 Matt, start over.

11 "For Angel's midyear evaluation,  
12 note that Joe spoke with Angel on March 29 by  
13 phone, and informed him that Angel should not be  
14 speaking with players or clubs concerning the  
15 instant replay equipment."

16 MR. LUPION: "Directly."

17 MR. MURPHY: "Directly concerning  
18 the instant replay equipment."

19 Thank you.

20 BY MR. MURPHY:

21 Q. That phone call on March 29, was  
22 that to all of the umpires?

23 **A. I don't recall.**

24 **(Plaintiff's Exhibit 134, email from**  
25 **McKendry, to Raquel Wagner, dated**

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2 23/23/2017, Bates stamped DEF 8127 through  
3 8131, marked for identification, as of  
4 this date.)

5 BY MR. MURPHY:

6 Q. All right, this one is Defendant's  
7 Exhibit 8127, Matt McKendry to Raquel Wagner.

8 What are our her job duties?

9 A. She is a manager in umpire  
10 operations, maybe a senior manager.

11 Q. What does a senior manager do?

12 A. Supports the department, she works  
13 on SURE administration. She supports the  
14 observer group. She works on administrative  
15 issues, proofreads, edits, perform, develops  
16 documents, she is --

17 Q. O.K.

18 MR. LUPION: I don't think he was  
19 done.

20 MR. MURPHY: I apologize.

21 A. Sorry, PowerPoint presentations.

22 Q. Very good.

23 MR. LUPION: Are you done with your  
24 answer?

25 THE WITNESS: And other factors, if

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2 that's makes it easier.

3 BY MR. MURPHY:

4 Q. In this -- well, did you receive a  
5 copy of this email about the time it was sent?

6 **A. Not to my recollection.**

7 Q. Matt tells Raquel, "As discussed  
8 please research these," midyear -- "As  
9 discussed, please research these umpires' mid  
10 year and year-end evals from the last five  
11 seasons for information to support the decision  
12 not to appoint them as a crew chief this  
13 offseason. Below are some initial thoughts on  
14 each umpire's drawbacks. See the attached  
15 letter to Angel Hernandez and use it as your  
16 template."

17 Is that the way MLB has notified  
18 umpires who didn't get the crew chief position,  
19 by pointing out reasons why they weren't  
20 appointed?

21 MR. LUPION: Object to the form.

22 BY MR. MURPHY:

23 **A. I think in this, from what I can**  
24 **tell, this was to send the letters to the**  
25 **umpires that were requested by the Umpire**

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2 Association. Each umpire, my experience from my  
3 recollection, is notified verbally prior to the  
4 letter.

5 Q. Are these reasons being provided  
6 after the decision was made?

7 MR. LUPION: Object to the form.

8 BY MR. MURPHY:

9 A. I think they're provided when the  
10 decision is made and hopefully consistent with  
11 what's in their evaluations.

12 Q. With their game evaluations or  
13 midyear?

14 A. With their midyear evaluations.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

23 Q. If an umpire gets hurt, as was the  
24 case with [REDACTED] in his career in the  
25 last couple of years, does that get held against

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2 him in the decision to become a crew chief?

3 A. I think for umpires that are not on  
4 the field, it's tough to evaluate them. So  
5 missed time is something that's taken in to  
6 account because you miss the evaluation period  
7 or the opportunity.

8 Q. And if you turn to the next page, it  
9 lists the umpires' actual seniority.

10 Do you see that?

11 A. Yes.

12 Q. And Hernandez, Danley, two minority  
13 umpires, were the top two in seniority, would  
14 you agree?

15 A. Yes.

16 MR. LUPION: Object to the form.

17 (Plaintiff's Exhibit 135, email from  
18 McKendry, to Woodfork, 9/18/17, Bates  
19 stamped DEF 14681 through 14687, marked  
20 for identification, as of this date.)

21 MR. MURPHY: This should be 134  
22 right.

23 MS. REPORTER: 135.

24 MR. LUPION: 135.

25 BY MR. MURPHY:



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**question?**

Q. Am I correct that these are just summaries of the reaction of the umpires when told that they did not make crew chiefs?

A. These are, yes, I mean, Randy's notes on his conversations on crew chief.

Q. O.K.

[REDACTED]

[REDACTED]

[REDACTED]

MR. LUPION: Object to the form.

A. Randy says that Angel went, quote, "off on the crew chief position for a while," and same with [REDACTED]

Q. And do you interpret that to be that Angel was upset about not being selected as crew chief?

A. I read that as he was -- he went off about it so that has a negative connotation to me.

Q. Turn to the next page, if you would, sir.

[REDACTED]

[REDACTED]

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█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

15 A. I don't have an example for you.

16 (Plaintiff's Exhibit 140, email from  
17 Rieker to Woodfork, dated 10/16/15, Bates  
18 stamped DEF 7912, marked for  
19 identification, as of this date.)

20 BY MR. MURPHY:

21 Q. O.K., 7912, Rich Rieker and Peter  
22 Woodfork, subject -- well, WS total stands for  
23 World Series?

24 A. I don't recall this email.

25 Q. "I do not know the totals; they are

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2 just suggestions."

3 Do you know what that means?

4 **A. I don't recall this email. I assume**  
5 **he's talking about voting for World Series.**

6 Q. "Put you who and Joe want in from  
7 the suggestions."

8 What does that mean?

9 MR. LUPION: Objection.

10 **A. I don't know. You'd have to ask**  
11 **Rich, he's the one who sent this email.**

12 Q. We didn't see any response to this  
13 that you didn't understand Rich. So, "Take  
14 Angel out if you want," do you know what that  
15 means?

16 **A. Again, I don't recall this email.**

17 Q. This is October 16, 2015.

18 The playoffs would be well under  
19 way, correct?

20 **A. It's the same date we had our,**  
21 **quote-unquote, debacle, or close to it, my**  
22 **birthday.**

23 Q. With [REDACTED]

24 **A. Yes.**

25 Q. All right.

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2 Was Angel being considered in 2015  
3 for the World Series?

4 **A. I don't recall.**

5 Q. Am I right that the only decision  
6 that would be left to be made on October 16,  
7 2015, would be who from the Division Series is  
8 going into the World Series, correct?

9 **A. Seems like the time frame that you**  
10 **would be deciding World Series assignments.**

11 Q. Because the subject says, "World  
12 Series totals."

13 So was Angel on a list to be  
14 selected for World Series and then taken off?

15 MR. LUPION: Objection.

16 BY MR. MURPHY:

17 **A. I don't recall the discussion around**  
18 **the World Series in 2015. I don't think we have**  
19 **a list that's on or off.**

20 Q. Keep that either in your mind or  
21 handy as you look at the next one, if you would,  
22 please.

23 (Plaintiff's Exhibit 141, Document  
24 Bates stamped DEF 15451, marked for  
25 identification, as of this date.)

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2 BY MR. MURPHY:

3 Q. This is 141, Defendants' Exhibit  
4 15451.

5 MR. LUPION: Bates number.

6 MR. MURPHY: Yes, sorry, Bates; it's  
7 Exhibit No. 141.

8 My apologies.

9 BY MR. MURPHY:

10 Q. This is a text from you, is that  
11 right?

12 **A. I assume that this is pulled from my**  
13 **text messages and you're providing me that,**  
14 **so...**

15 Q. And you sent the text to Joe Torre,  
16 correct?

17 **A. That appears to be Joe's cell phone**  
18 **number.**

19 Q. "Angel is going to be" -- first look  
20 at the date, the date is the same day as the  
21 Rich Rieker email on Exhibit 140.

22 Do you see that?

23 **A. I do.**

24 Q. And you tell Joe Torre in the  
25 afternoon, "Angel is going to be a no for Rob.

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2 I am headed home to have my birthday dinner, and  
3 will be on my cell."

4 So you can see that I already knew  
5 when your birthday was.

6 How did you know that Angel was  
7 going to be a no for Rob?

8 **A. I don't recall sending the text.**

9 Q. You may not recall typing out a text  
10 on your phone. Do you recall the content and  
11 what you were conveying to Joe Torre?

12 **A. I can see here on the piece of paper**  
13 **what the content says, but I don't recall the**  
14 **situation or the discussion we were having.**

15 Q. Did the Commissioner tell you that  
16 he did not want Angel in the World Series?

17 **A. Not to my recollection.**

18 Q. Is this based on previous knowledge  
19 about what the Commissioner feels about Angel  
20 Hernandez?

21 **A. This was, again, based on probably**  
22 **my presumption, my presumption, I took a**  
23 **presumption on the situation. I don't recall**  
24 **having conversation with the Commissioner about**  
25 **Angel Hernandez and the World Series in 2015.**



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2 Q. You don't say in the body, I believe  
3 Angel is going to be a no for Rob; you say  
4 affirmatively that, "Angel is going to be a no  
5 for Rob."

6 **A. I think if -- sorry. You can ask**  
7 **the question, I apologize.**

8 Q. I'm just asking you: What  
9 information did you have that caused you to send  
10 that information to Joe Torre?

11 **A. I don't recall sending it; I don't**  
12 **recall having any more information than I've**  
13 **already stated to you.**

14 I know that we're coming off of a  
15 tough series in Toronto, I think I probably took  
16 an assumption that situation management and  
17 those types of issues were going to be at the  
18 forefront for the World Series.

19 Q. I see.  
20 So is what you're saying is that the  
21 selection of the World Series umpires would've  
22 been affected by what happened with [REDACTED]

23 **A. I'm not saying that; I'm just saying**  
24 **I think that that situation would be that we**  
25 **were looking for all the time the umpires**

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2           Q.     Do you recognize that the types of  
3     things that Kinsler said about Mr. Hernandez can  
4     harm him from an integrity standpoint?

5                   MR. LUPION:   Object to the form.

6           **A.     Like I said, I don't remember the**  
7     **exact comments that were made by Mr. Kinsler; I**  
8     **do remember that he crossed the line.**

9           Q.     Mr. Kinsler was not suspended, am I  
10    correct?

11           **A.     Correct.**

12           Q.     And did Joe Torre agree with what  
13    you said here?

14           **A.     I don't recall.**

15                   **(Plaintiff's Exhibit 144, email from**  
16     **McKendry, to Woodfork, dated 9/15/13,**  
17     **Bates stamped DEF 15068, marked for**  
18     **identification, as of this date.)**

19    BY MR. MURPHY:

20           Q.     This is Exhibit 144, Bates stamp  
21     15066.   It's an email from Matt McKendry to  
22     Mr. Woodfork, subject post season, "Here is the  
23     information you were asked about last night."

24                   Would you explain to me what you  
25     were asked about and who did the asking.

1 P. Woodfork - 6/21/19

2 A. I don't recall.

3 Q. Is there one thing that these  
4 umpires have in common?

5 A. These are the people of color that  
6 are umpires, people of diversity.

7 Q. Right.

8 Do you know why you were asked --

9 A. Again --

10 Q. -- about this information?

11 A. -- I don't recall.

12 Q. When it says season, "2013 Number on  
13 Staff: 7. Number Assigned: 2."

14 Would you explain what those numbers  
15 are, sir?

16 A. I didn't do the umpire -- I didn't  
17 write this email, but from what I can infer from  
18 it, it seems like there's seven on staff and two  
19 assigned to the post season.

20 Q. I see. Seven on staff means seven  
21 minority umpires?

22 A. Again, if I take -- if I can infer  
23 from it. I didn't write the email, so I can't  
24 say that 100 percent. But we did, if I do  
25 recall correctly, we did make two hires that,

1                   **P. Woodfork - 6/21/19**

2           **between '12 and '13 of people of color.**

3           Q.       You will note that in 2004, Chuck  
4       Meriwether umpired the World Series, correct?

5           **A.       According to this email.**

6           Q.       Do you know who had Joe Torre's  
7       current position back then in 2004?

8           **A.       I do not.**

9           Q.       Angel Hernandez had the World Series  
10       in 2005, do you see that?

11          **A.       Yes.**

12          Q.       Marquez had the World Series in  
13       2006, do you see that did?

14          **A.       Yes.**

15          Q.       Danley had the World Series in 2008,  
16       and so did Laz Diaz, do you see that?

17          **A.       Yes.**

18          Q.       Evidently, the people in your  
19       positions previously thought that Marquez, Diaz,  
20       Hernandez and Danley, were capable enough to  
21       umpire the World Series, would you agree?

22                   MR. LUPION: Object to the form.

23           BY MR. MURPHY:

24           **A.       Agree that those umpires worked the**  
25       **World Series during these years.**

1 **P. Woodfork - 6/21/19**

2 Q. Would you agree that by selecting  
3 them, they were confident that they could handle  
4 the World Series stage?

5 MR. LUPION: Objecting to the form.

6 **A. I don't know what thought process**  
7 **they put in TO their selections.**

8 Q. But in spite of the fact that the  
9 individuals that were in the position to select  
10 World Series candidates prior to the people  
11 coming onboard in 2011 thought that these  
12 candidates, Hernandez and Danley, could be in  
13 the World Series, you, Joe Torre, and the others  
14 have thought that they're not worthy enough to  
15 be in the World Series, correct?

16 MR. LUPION: Objection.

17 BY MR. MURPHY:

18 **A. You're asking me about the two**  
19 **years, the three years on this sheet, '11, '12,**  
20 **and '13?**

21 Q. '14, '15, and '16, too.

22 **A. You're asking me about the three**  
23 **years that are on this sheet, Marquez worked the**  
24 **World Series and he tried again. We put the**  
25 **umpires that we feel best are going to perform.**

1 P. Woodfork - 6/21/19

2 humiliates them that they have less years than  
3 the crew chief they work under?

4 MR. LUPION: Objection. Asked and  
5 answered. You can answer again.

6 A. Yes, I'm not going to project or try  
7 to predict what their response is; I know that,  
8 as you said, they respect people that they work  
9 with regardless of race.

10 Q. But you have had memos about the  
11 conversations with the umpires in Arizona where,  
12 both, [REDACTED] and Hernandez conveyed that they  
13 were upset about being passed over, so when it  
14 comes to how they feel about certain things, you  
15 are, in fact, made aware at times, correct?

16 MR. LUPION: Objection.

17 A. I am aware that they're upset about  
18 not being selected as crew chiefs.

19 (Plaintiff's Exhibit 146, email from  
20 Freedman to Woodfork, Sword, 2013 Umpiring  
21 Department Overview DEF 15067 through  
22 15149, marked for identification, as of  
23 this date.)

24 BY MR. MURPHY:

25 A. Kevin, that's a big one, I'm going



1                   **P. Woodfork - 6/21/19**

2           **to run to the restroom before we get to that.**

3                   MR. MURPHY:    Sure.

4                   (Whereupon, a recess was taken.)

5                   THE VIDEOGRAPHER:   Off the record,  
6           time 1:56.

7                   (Whereupon, a recess is taken.)

8                   THE VIDEOGRAPHER:   Stand by, please.

9                   The time 2:08 p.m., back on the  
10          record.

11       BY MR. MURPHY:

12               Q.     In front of you, I have a document  
13       15067 to 15149.

14                   Do you recognize this document?

15               **A.     Yes.**

16               Q.     Is this something you reviewed in  
17       preparation for your deposition?

18               **A.     I did see this, yes.**

19               Q.     Scott Freedman in August of 2013,  
20       what position did he hold with Major League  
21       Baseball?

22               **A.     I don't recall his exact position.**  
23       **He worked in the Labor Relations and Strategy**  
24       **Department.**

25               Q.     Did he have any particular expertise

1 P. Woodfork - 6/21/19  
2 as it related to Minor League and Major League  
3 umpiring that would cause you to ask him to do  
4 this?

5 MR. LUPION: Object to the form.

6 A. I'm not -- I don't recall him being  
7 any more than researching information for us.

8 Q. And --

9 A. Actually, can I take that -- can I  
10 add to that? I think actually, in this case, in  
11 Scott's case, this was actually just an update  
12 of a document that -- of a presentation that  
13 previously had been done.

14 Q. And do you know, when was that  
15 previous presentation done?

16 A. If I recall correctly, 2011.

17 Q. Sorry?

18 A. If I recall correctly, it was 2011  
19 is my best.

20 REQ

21 MR. MURPHY: I'm going to request  
22 that document and there was one other, the  
23 Employee Handbook that has a diversity  
24 policy that he mentioned earlier.

25 BY MR. MURPHY:

1 P. Woodfork - 6/21/19

2 Q. All right, who asked Mr. Freedman to  
3 do this update?

4 A. I don't recall.

5 Q. By that answer, does that eliminate  
6 you from being the person who asked Scott  
7 Freedman to do the update?

8 A. I don't recall directly asking Scott  
9 Freedman to do this update.

10 Q. O.K.

11 Who is Morgan Sword?

12 A. Morgan is a peer in the labor  
13 relations department who Scott Freedman reported  
14 to.

15 Q. Did Freedman also do the original  
16 version in 2011?

17 A. I don't recall who worked on the  
18 original one. I know it was done through the  
19 Strategy and Labor Group, which has a number of  
20 people in it.

21 Q. This report told Major League  
22 Baseball that there was a diversity problem  
23 within the umpire staff, correct?

24 MR. LUPION: Objection. The  
25 document speaks for itself.

1 P. Woodfork - 6/21/19

2 A. I don't recall the specifics of each  
3 -- I don't recall the specifics of each page of  
4 this document.

5 Q. All right, but that wasn't about a  
6 specific page.

7 Isn't it true that this report told  
8 Major League Baseball that there was a diversity  
9 problem within the umpire staff?

10 MR. LUPION: Object to the form; the  
11 document speaks for itself.

12 A. Again, I don't recall the specifics  
13 of it; I can read through it and see specifics;  
14 I know it did discuss diversity and diversity  
15 numbers.

16 Q. And that those diversity numbers  
17 were inadequate, correct?

18 MR. LUPION: Object to the form.  
19 Document speaks for itself.

20 BY MR. MURPHY:

21 A. Again, I think it showed the  
22 numbers, how you interpret those numbers, and I  
23 felt we could have improvement in that area.

24 Q. All right.

25 We're going to go through some of

1 P. Woodfork - 6/21/19

2 these pages. I will show you a page or two to  
3 orient you?

4 **A. O.K.**

5 Q. So, let's start at 15068, it's  
6 called an Umpiring Department Overview and then  
7 15069, you'll see the Table of Contents. It  
8 starts with the Demographics and Life of an  
9 Umpire.

10 On 15070, he has listed that of the  
11 total number of umpires, only 7 percent were  
12 people of color, correct?

13 **A. 7 percent of minorities?**

14 Q. Yes.

15 **A. Yes.**

16 Q. And would you agree that that's not  
17 an acceptable number?

18 MR. LUPION: Object to the form.

19 **A. I would say that our diversity**  
20 **efforts, we need to increase that number, that**  
21 **is a goal.**

22 Q. So by saying that you need to  
23 increase the number, this number was not  
24 acceptable, would you agree?

25 MR. LUPION: Object to the form.

1 P. Woodfork - 6/21/19

2 Mischaracterizes testimony.

3 A. I would say that the number is the  
4 number of how many -- the percentage of diverse  
5 umpires we had at the time, and that the goal  
6 was to increase that number.

7 Q. In 2013, were you satisfied that the  
8 amount of umpires of color were only 7 percent?

9 A. I think we needed to, again, looking  
10 at the number, we needed to increase that  
11 number.

12 Q. Does that mean that you were not  
13 satisfied?

14 A. It's not satisfaction -- for me,  
15 that's not how I -- I'm more analytic. I look  
16 at that number, it's not, for me it was not high  
17 enough and it's something we need to improve on.

18 Q. Between 2013 and the present, has  
19 that number gone up or down?

20 A. Percentage-wise, I would have to look  
21 at it. I don't know off the top of my head what  
22 the percentage is. I think between -- think the  
23 number, total number has increased.

24 Q. 15071, while the total number of  
25 minority umpires has increased, so has the



# **EXHIBIT G**

Message

**From:** Freedman, Scott [scott.freedman@mlb.com]  
**Sent:** 8/1/2013 7:28:50 PM  
**To:** Woodfork, Peter [peter.woodfork@mlb.com]  
**CC:** Sword, Morgan [morgan.sword@mlb.com]  
**Subject:** 2013 Umpiring Department Overview  
**Attachments:** 2013 Umpiring Department Overview.pptx

Peter:

Attached please find an updated version of the Umpiring Department Overview. Please let us know if you have any questions or need anything else.

Thanks,

Scott

EXHIBIT

6

exhibitsticker.com



## Umpiring Department Overview

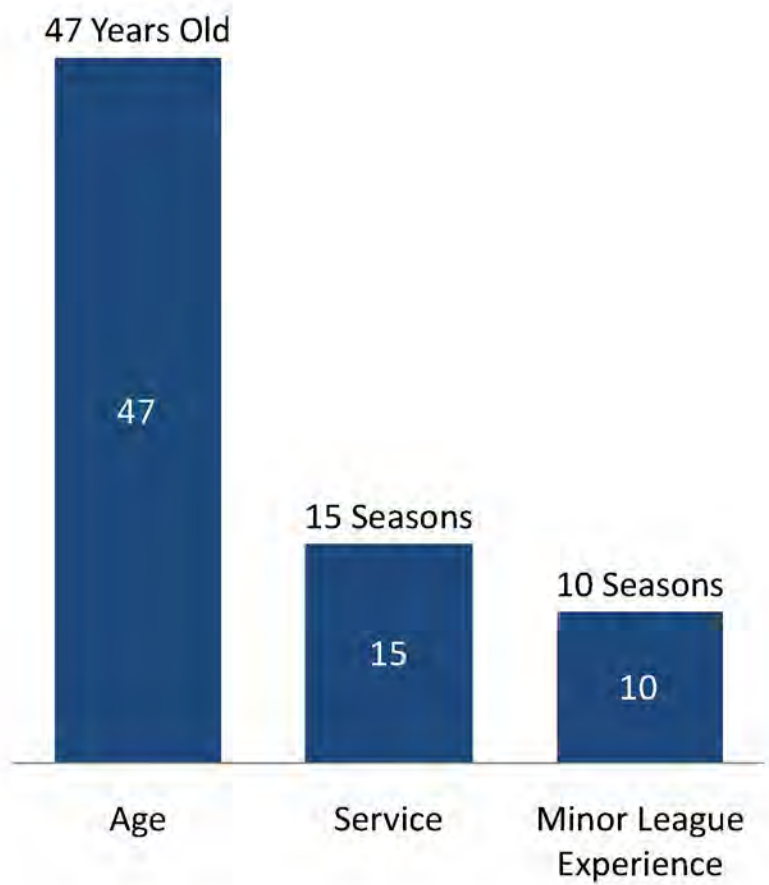
## Table of Contents

- **Demographics and life of an umpire**
  - Umpire oversight and development
  - Umpire health and fitness
  - Benchmarking officiating in other leagues
  - Recommendations



# Active Umpire Demographics

MLB Umpire Demographics



Umpiring Staff Breakdown

Number of Umpires	68
Umpires per Crew	4
Umpires with Playoff Experience	59
Umpires with WS Experience	31
Base Salary Range	
Minority %	7%

Source: MLB Umpire Database



## Pathway to the Majors: Candidate Selection

### Candidate Selection

### Training & Development

### Major League Hiring

- Many aspiring umpires will attend one of the **MLB sponsored umpiring camps**; top students from the umpiring camps are **given scholarships to the Wendelstedt/Evans** professional umpiring schools
- While the MLB umpiring camps are not required, all umpire candidates **must attend either the Wendelstedt or Evans umpiring school**
- The cost of attending an umpiring school is only **\$3,000 for a five week course** and includes tuition and housing
- The **best candidates** from the professional umpiring schools are then **sent to the Professional Baseball Umpires Corp (PBUC) evaluation course**
- After the PBUC evaluation course, many attendees will be **placed into openings in the lower level minor leagues**
- **PBUC has created their own school** in January 2012, but there remain issues regarding how to eliminate bias from the candidate selection process



*Low tuition and admissions standards create low barriers to entry*





## Pathway to the Majors: Training & Development

Candidate  
Selection

Training &  
Development

Major League  
Hiring

- **PBUC**, not Major League Baseball, is **responsible for the development and evaluation of the minor league umpires** from Rookie Ball through AA; umpires are given two years at each level, and after two years, are either promoted or let go
- **MLB supervisors** are responsible for evaluation and development at the AAA level
- Umpires spend an **average of 10.5 years** in the minor leagues before they are given a Major League opportunity
- The average salary for a minor league umpire ranges from \$12,000-\$15,000 for six months of work; the **maximum salary is \$21,000**
- The **non-stop travel** endured as a minor league umpire includes overnight car rides, cheap motels, and months away from home – only \$27 per day is allocated for meal money
- Though the season only lasts 4-6 months per year, an **umpire's difficult schedule precludes many additional employment opportunities**

*Umpires experience poor conditions with little emphasis put on training and development*



## Pathway to the Majors: Major League Hiring



- Umpires are hired at the **“absolute and exclusive”** discretion of the Commissioner’s Office (Article 4.A.3)
- An umpire can only be offered a Major League position when one becomes available; given the **low turnover rate**, this can be quite rare
- Umpires will often work **hundreds of Major League games before actually being given a position** as a Major League umpire
- **19** Minor League Umpires are on the 2012 AAA-call up list; **very few will have the opportunity for a full time major league position** in the near future
- Evaluation of potential new hires can be **very subjective**; quantitative data such as AAA evaluations and ZE scores is sometimes used, but **supervisor recommendations hold the most weight**
- Once hired, there is still a **probationary period** of up to 3 years where an umpire can be terminated without cause, but because most umpires are credited with 2 years of service upon being hired, the probationary period is effectively **shortened to a single year**

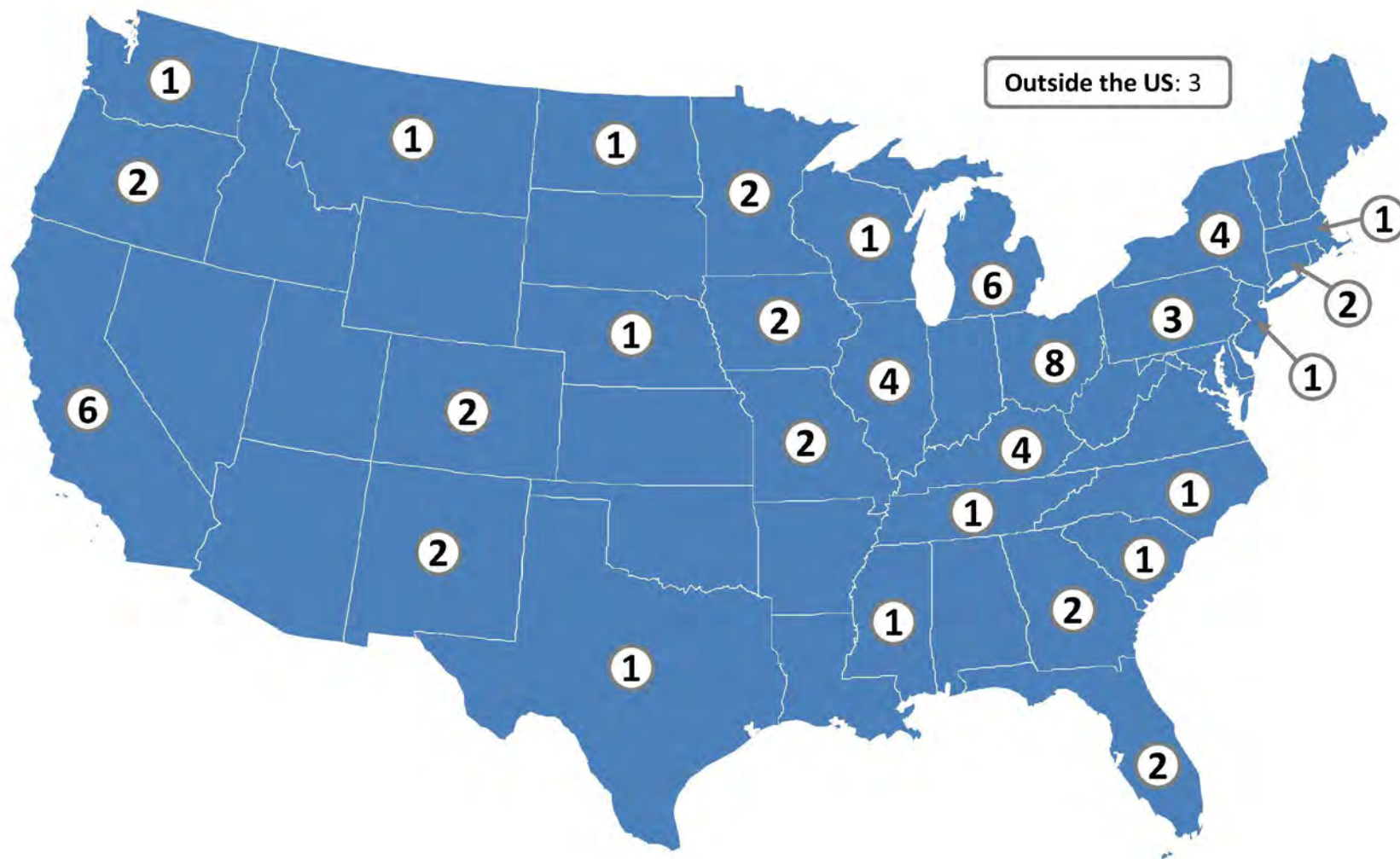
*Umpires hired in their mid-30s lose some of their most productive years in the minor leagues*





# Current MLB Umpires are drawn from across the US but are heavily concentrated in the Midwest

Case 1:18-cv-00255-JOC-WG Document 154-7 Filed 06/22/20 Page 18 of 39



Source: MLB Umpire Database

Confidential - Attorneys' Eyes Only

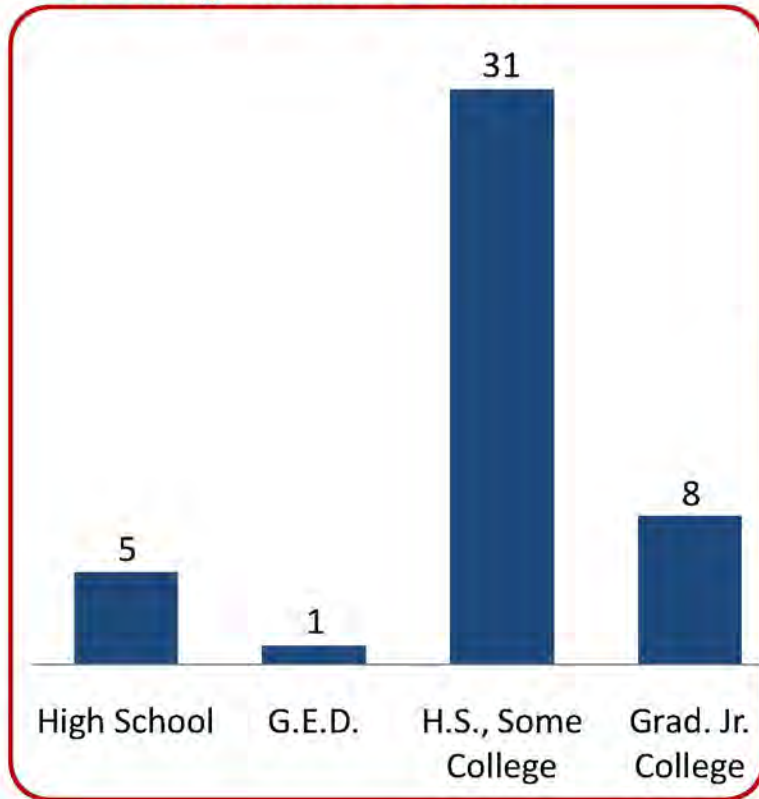


# Barely One Third of MLB Umpires Have Graduated from a Four-Year College

## MLB Umpires by Highest Level of Education Completed

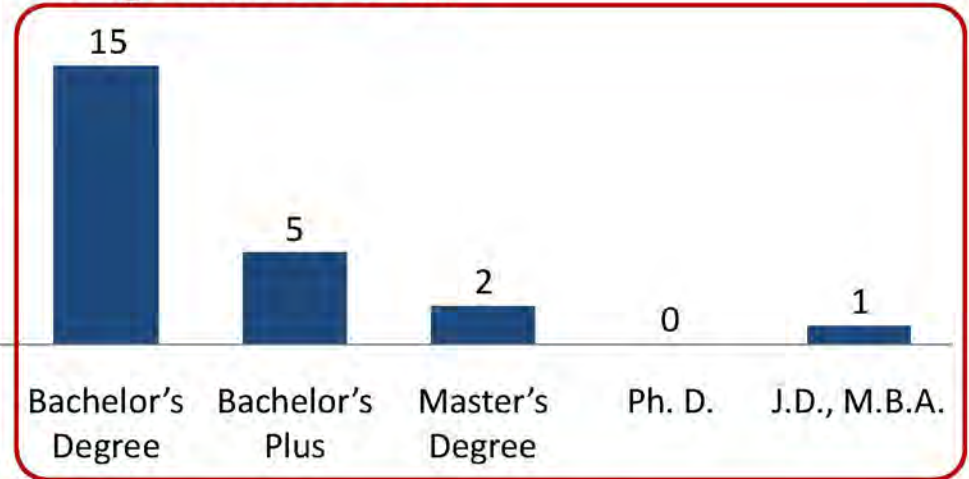
Current Staff

### NON-College Graduates: 45 Total



Average Service: 15 Years

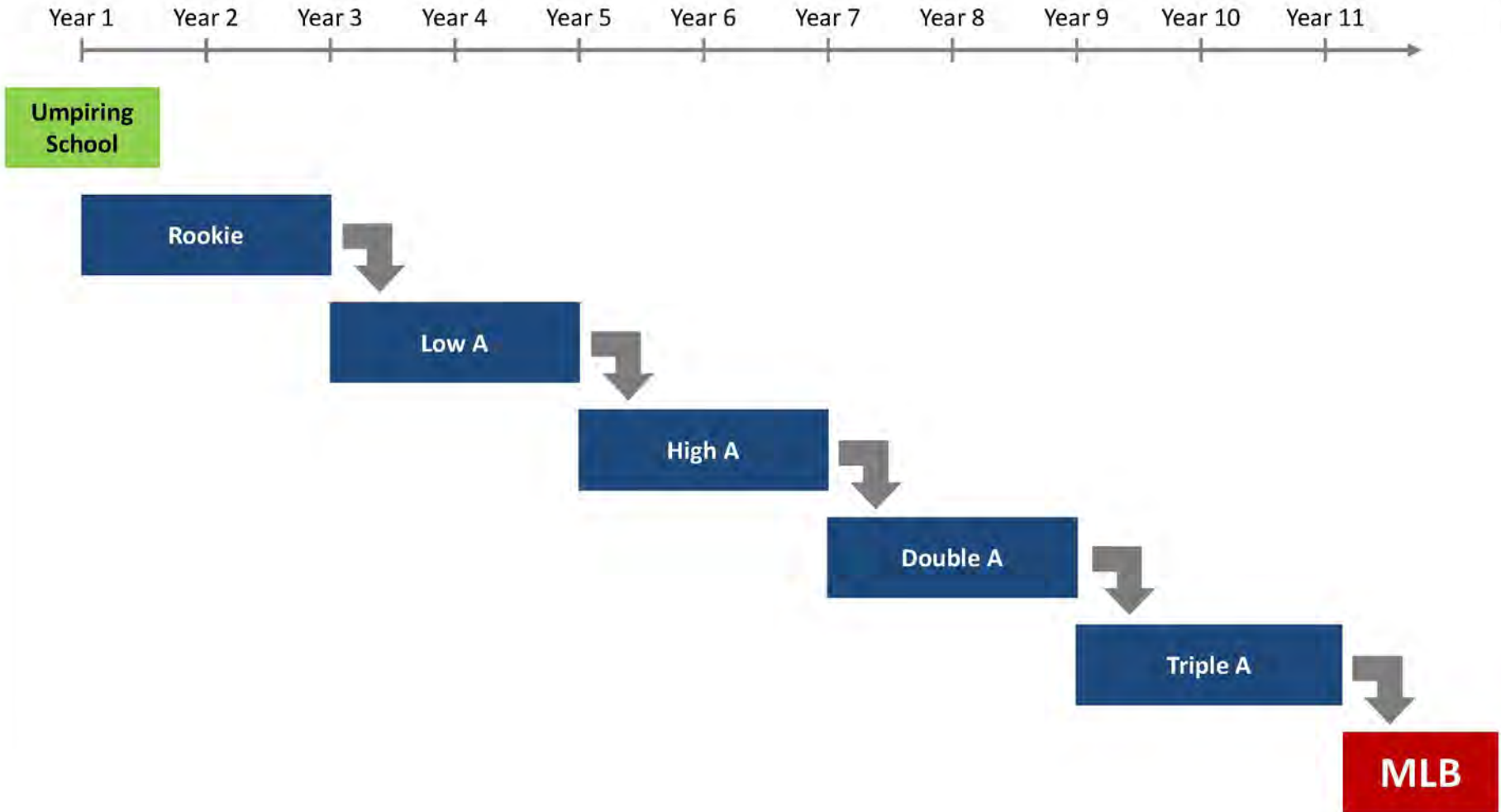
### College Graduates: 23 Total



Average Service: 15 Years

# The Average MLB Umpire Spends over Ten Seasons in the Minor Leagues

Career Trajectory of the Average MLB Umpire, 2001-2012



Source: MLB Umpire Database

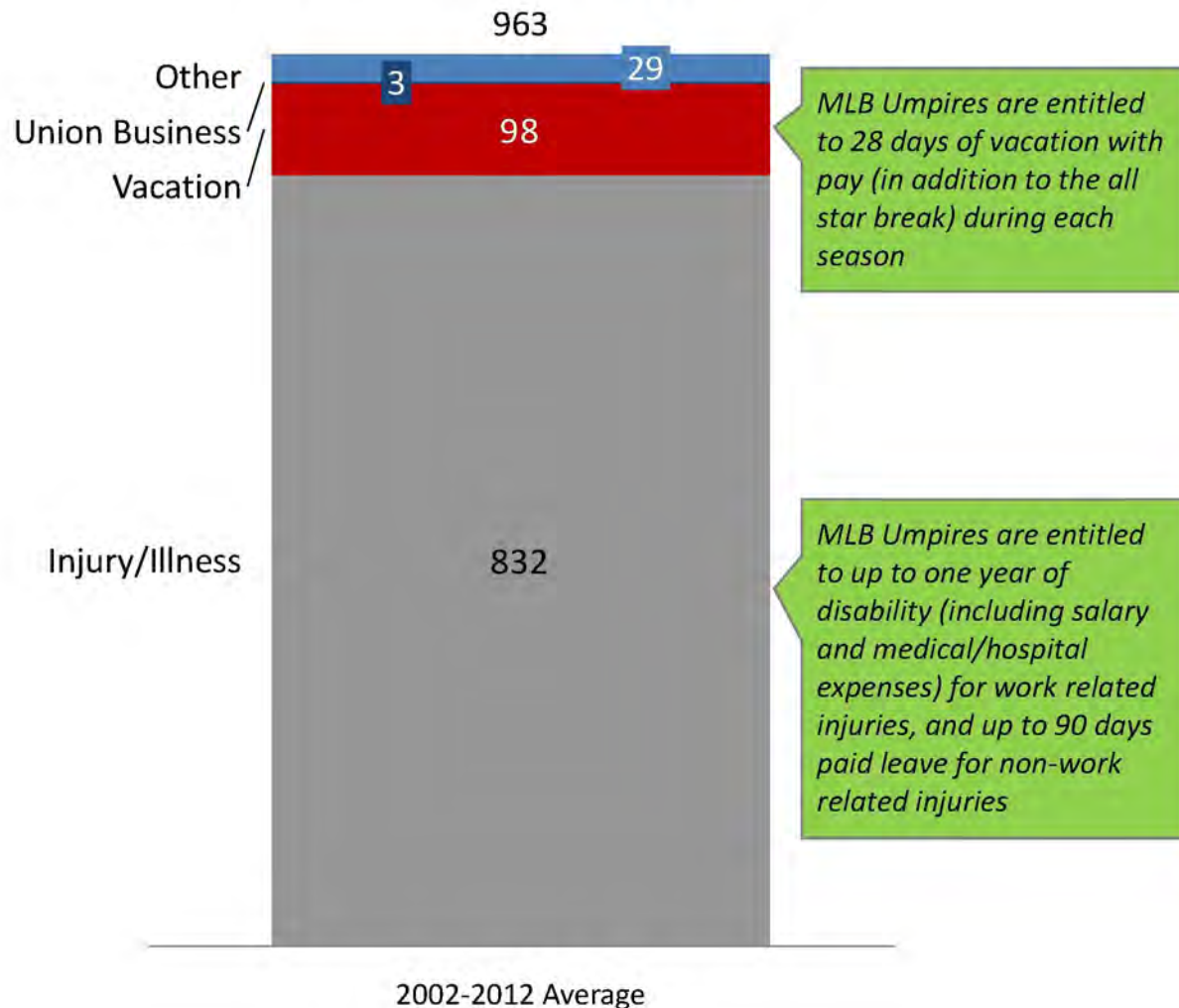


# Major League Umpires Miss an Average of 20 Days Per Season Allowing Triple-A Umpires an Opportunity to Work Major League Games

Case 1:18-cv-00055-DWM Document 1-1 Filed 04/22/20 Page 11 of 199

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MLB Umpires' Days Missed by Category



Source: MLB Umpire Database, Basic Agreement





# However, Translating the Call-ups to Full-Time Employment Takes Years

## Major League Days by AAA Call-up Umpires, 2012

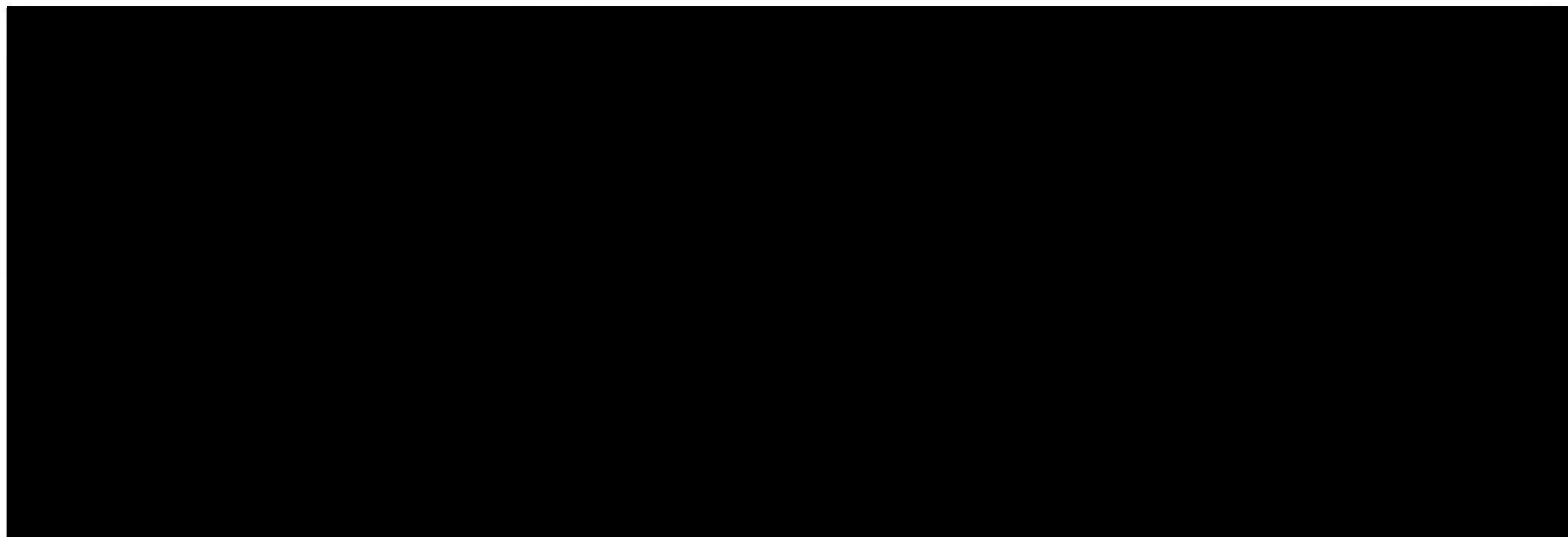
Umpire	League	Total Days 2012	Total Days Prior Years Through 2012
Alan Porter	IL	144	300
Vic Carapazza	IL	142	304
Mike Muchlinski	PCL	130	465
D.J. Reyburn	PCL	130	387
Chris Conroy	IL	130	213
Manny Gonzalez	IL	122	175
Mike Estabrook	IL	120	595
Lance Barrett	PCL	105	173
Cory Blaser	PCL	104	226
Angel Campos	PCL	76	549
Jordan Baker	PCL	72	72
David Rackley	IL	50	103
Toby Basner	IL	19	19
Clint Fagan	PCL	16	21
John Tumpane	PCL	10	84
Mark Ripperger	PCL	9	54
Mark Lollo	IL	2	10
Hal Gibson	PCL	0	0
Adam Hamari	IL	0	0

*The average MLB umpire works 249 Major League Games before being officially hired; for umpires hired after 1999, this number rises to 581 Major League Games*

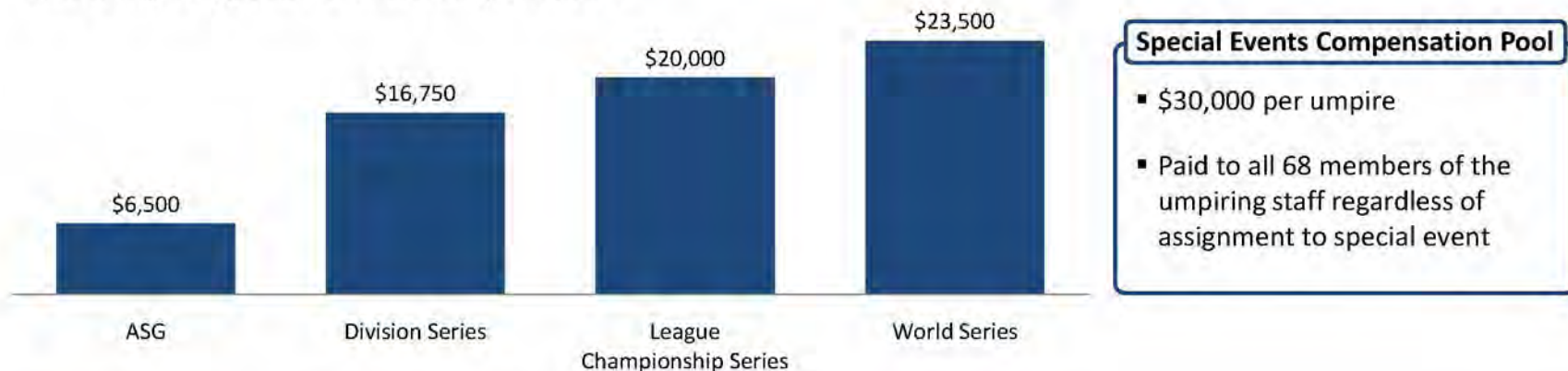
# Umpires Earn an Annual Salary Based on Service and Additional Money For Working During the All-Star Game and Postseason

Case 1:18-cv-00055-DOC-000 Document 1-1 Filed 07/22/20 Page 19 of 89

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## MLB Umpire Special Events Compensation



Source: Basic Agreement, Addendum A



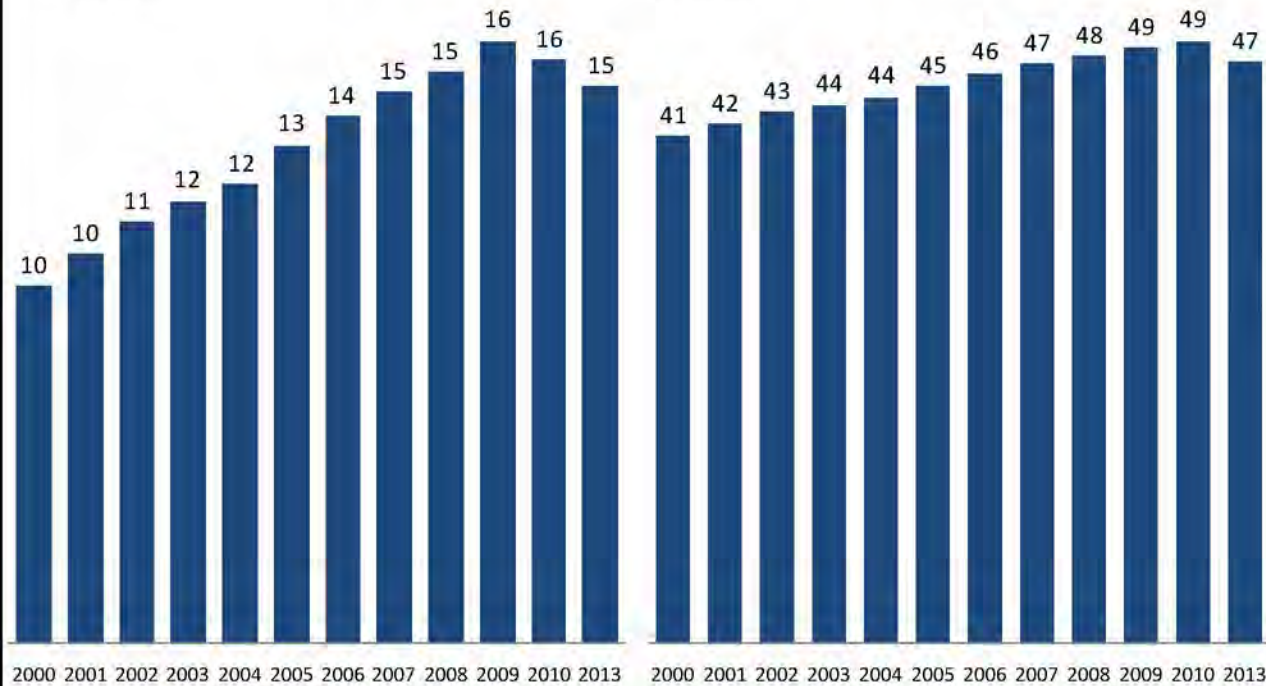
# Low Churn in the Umpiring Staff Has Caused an Aging Workforce and Increased Cost, Yet This Trend Has Reversed Course Since 2010

Case 1:13-cv-00035-JCL Document 56-3 Filed 06/05/20 Page 10 of 35

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**Average Umpire Service, 2000-2013**  
In Years

**Average Umpire Age, 2000-2013**  
In Years



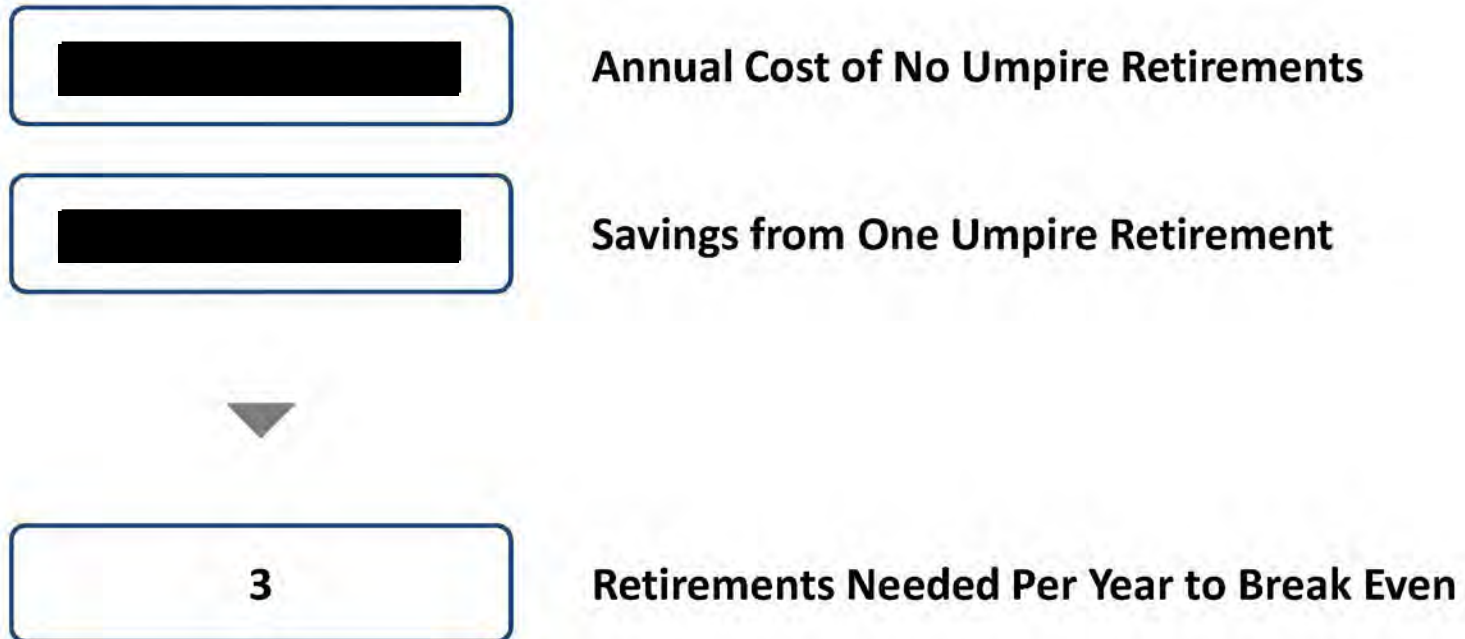
Source: MLB Umpire Database



# Because of Their Service-Based Pay, the Aging Umpiring Unit is Becoming Increasingly More Expensive

Case 1:13-cv-00035-BEC Document 1-1 Filed 07/23/20 Page 13 of 89

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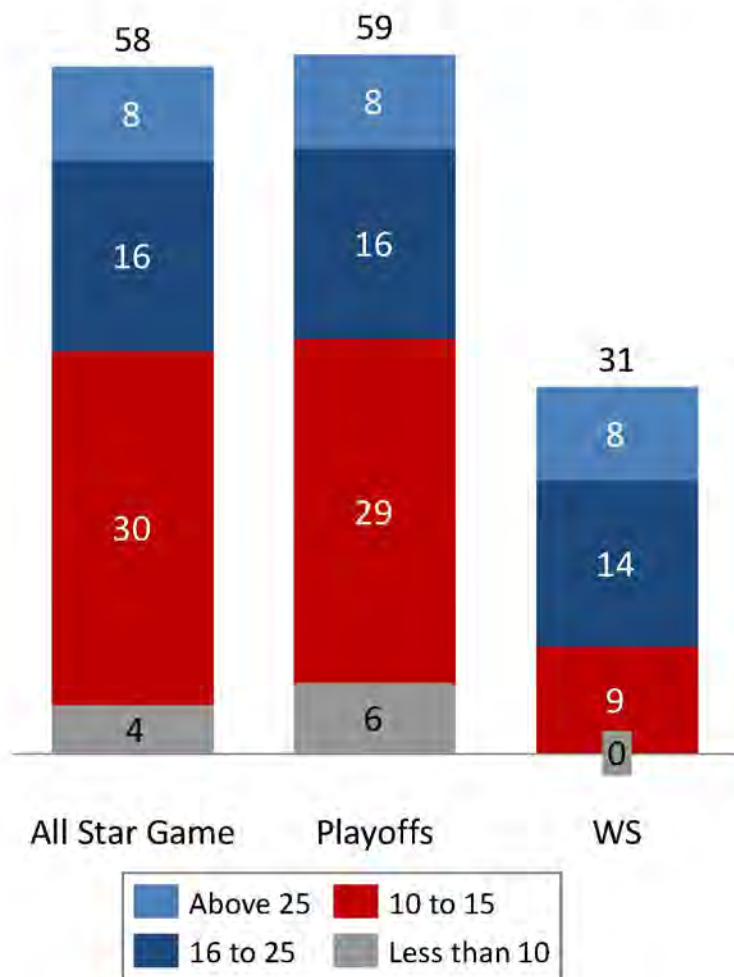


*Early retirement windows with enhanced benefits have been successful in spurring retirements; however, the final early retirement window is from Oct-Dec 2012 after which retirements are expected to slow*



# Special Events Assignments Often Go to the Most Senior Umpires

Umpires Selected for Special Events by Service



## Special Events Selection

- The Commissioner's Office is given "absolute and exclusive discretion" in assigning umpires for special events
- A number of criteria are taken into account when choosing the umpires for special events
  - Seniority
  - Special event experience
  - Supervisor Evaluations that include assessment of leadership skills, overall quality of performance, and fulfillment of duties and responsibilities
- Selection is heavily influenced by the supervisors' subjective recommendations
- Seniority is rewarded, with a few younger umpires each year also given an opportunity so that they can gain experience
- A suggested quantitative weighted ranking method was not popular with the supervisors

# Crew Chief Assignments Also Go to the Most Senior Umpires

## Crew Chief Assignment Guidelines

*"In the appointment of crew chiefs, the Commissioner's Office may rely on whatever factors it deems appropriate; seniority may be considered, but does not control the selection" – Basic Agreement Article 4.C.1-2*

- In addition to seniority, factors that should be considered include:
  - *Leadership Skills* – situation management, on-field presence/demeanor, hustle, focus, integrity, etc.
  - *Overall Quality of Performance* – ZE score, base judgment accuracy, agility and positioning
  - *Fulfillment of duties and responsibilities* – attendance and the umpire's adherence to the Umpire Manual, the Official Playing Rules, and the Basic Agreement
  - *Demonstrated Initiative to Train and Mentor Junior Umpires*

## 2013 MLB Crew Chiefs

Last Name	First Name	Service	Service Rank
West	Joe	35	1
McClelland	Tim	30.5	2
Hirschbeck	John	29.5	3
Welke	Tim	29	4
Davis	Gerry	29	4
DeMuth	Dana	29	4
Scott	Dale	27	7
Darling	Gary	26	8
Joyce	Jim	25	9
Layne	Jerry	24	10
Winters	Mike	23	11
Gorman	Brian	21	12
Kellogg	Jeff	20.5	13
Hallion	Tom	20	14
Cederstrom	Gary	19	15
Culbreth	Fieldin	16	16
Barrett	Ted	16	16

*Despite the freedom of selection provided in the basic agreement, of the 17 crew chiefs for the 2013 season, only 2 rank outside of the top 15 when ranked according to service*

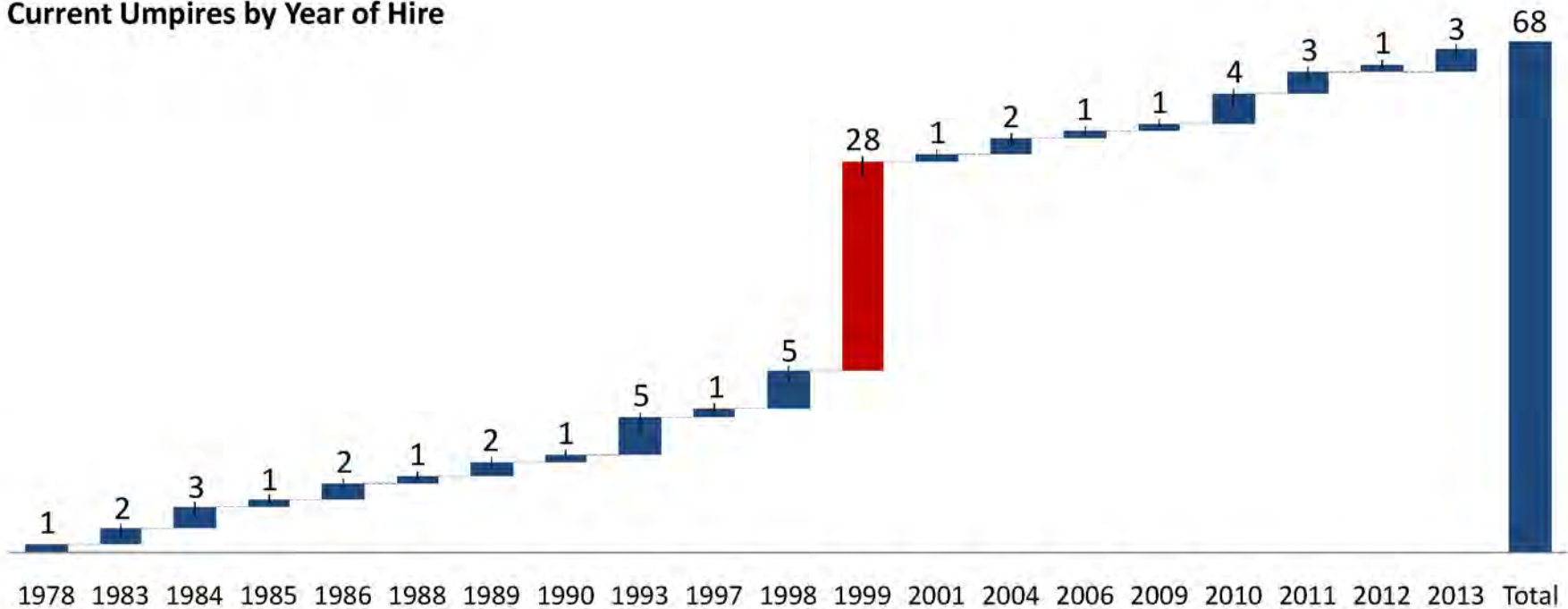


# The "Class of 1999" Represents 40% of the Umpiring Staff and Will Create Several Problems as Its Umpires Accumulate Service and Salary

Case 1:18-cv-00055-BGG Document 1-1 Filed 07/22/20 Page 13 of 39

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## Current Umpires by Year of Hire



### Key Questions

- How will **crew chief assignments, special event assignments, and playoff assignments** be determined with so many Umpires at the same level of service?
- How much **extra money** will it cost to pay all of these umpires as they become more senior?
- What will happen if all 28 umpires decide to **retire around the same time**?
- How will MLB handle the **increased influence** this group will have as more senior umpires begin to retire?

# The Most Senior Umpires Have a Strong Influence on Umpire Culture

## Strict Hierarchy

- Joe West who has the **most service** of any current umpire (35 years) is **president of the union**
- Crew assignments are **given with service time in mind**, and the **crew chief** is always the **member of the crew with the most experience**
- Crew chiefs get to **pick their own schedule** based on seniority

## Aversion to Technology

- Adoption of new technology (SURE, ZE) is **hindered by the older umpires**
- The older umpires are not as familiar with computers, and often **display a distrust** for the results of the high tech evaluation systems
- **Junior members** of the crew are often **assigned as the technology experts** so that the senior members of the crew do not have to learn the systems

## Fear of Change

- **Change is difficult** for the majority of umpires
- After tens of years umpiring, **most umpires have rigid routines**; they do not feel comfortable deviating from their traditional systematic processes
- **Poor communication and collaboration** skills among the umpires make it even more difficult to institute change; **junior umpires** who are not as set in their ways **are not given the opportunity to express their views** by their more senior counterparts





## Summary

- The candidate **selection and development** process is **difficult, time consuming, and involves poor conditions and low pay**
- Umpiring camps with limited qualifications keep **barriers to entry low**, and the pay and conditions experienced in the minor leagues ensure that **only candidates with very few alternative options** will set out to become Major League Umpires
- Minor League umpires suffer from a **lack of focus on training and development**, and even the **best umpires are forced to put in their time in the minors regardless of whether or not they deserve to be in the Major Leagues**
- Once selected, there is **little incentive for outstanding performance**, as almost all **rewards are tied to service time**
- The class of 1999 has created a **demographics problem** that has already impacted culture, development, and performance and will continue to do so as these umpires become more senior
- The combination of the AL and NL in 2000 did nothing to quash a rivalry that has continued to result in **mistrust and a lack of collaboration** among the umpires to this day



## Table of Contents

- Demographics and life of an umpire
- **Umpire oversight and development**
- Umpire health and fitness
- Benchmarking officiating in other leagues
- Recommendations



## Umpire Oversight & Development

- MLB has put in place a number of different **people, systems, and processes** to help oversee, evaluate, and develop Major League Umpires
  - Ⓐ Umpiring Department
  - Ⓑ Supervisor/Observer Network
  - Ⓒ Technologically Advanced Training and Evaluation Systems
  - Ⓓ Evaluation, Training, Discipline, and Situation Handling Processes
- The **investment and effort** MLB has made in the above areas **is admirable**, and has **laid the groundwork for future success**
- However, there **remains some concern** about whether the existing people, systems, and processes have been able to **significantly impact umpire behavior** that is often deeply ingrained by the time an umpire reaches the Major Leagues



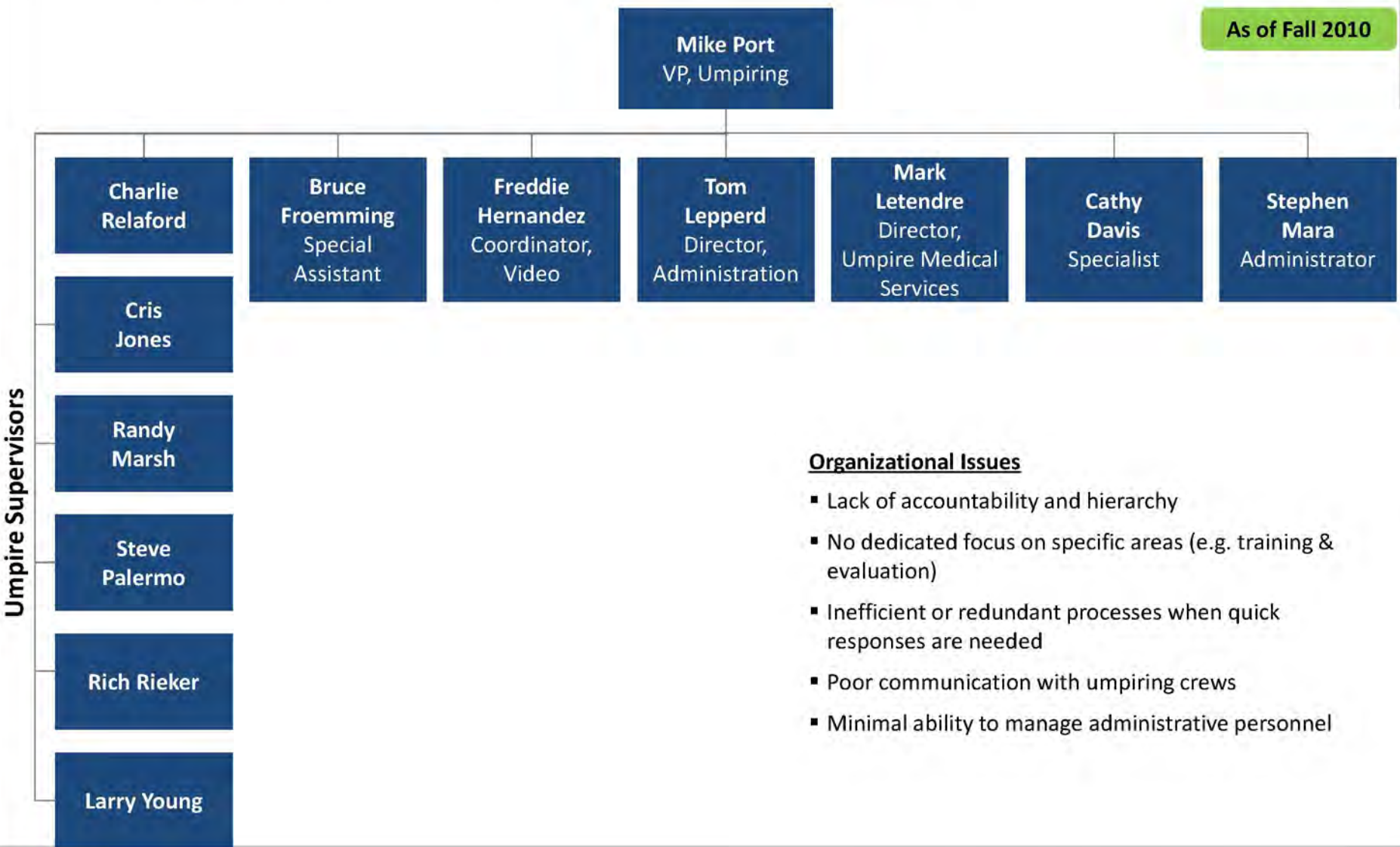






# A Lack of Structure Historically Contributed to the Department's Struggles

As of Fall 2010



Organizational Issues

- Lack of accountability and hierarchy
- No dedicated focus on specific areas (e.g. training & evaluation)
- Inefficient or redundant processes when quick responses are needed
- Poor communication with umpiring crews
- Minimal ability to manage administrative personnel



B

Supervisors and Field Observers Regularly Evaluate Umpire Performance Through Games In-Person

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Observed Games by Year

Year	Observed Games
2008	1,313
2009	1,365
2010	1,357
2011	1,463
2012	1,389

	2008	2009	2010	2011	2012
% of Games Reviewed	54.1%	56.2%	55.8%	60.2%	57%
Observers/Supervisors	18	18	18	19	19

In-Game Evaluation Process

- Supervisors and Observers attend games to evaluate umpires in person
- Umpires are graded in categories such as Effort and Professionalism, Game and Situation Management, Field Proficiency, and Administrative Components
- Umpires receive a grade in each category of either Exceeds Expectations, Meets Expectations, or Does Not Meet Expectations

Aggregated Evaluations

- Each Umpire receives a mid-season and end of season evaluation
- Supervisors aggregate all of the in-game reports an umpire has received throughout the season and assign an overall grade to each category

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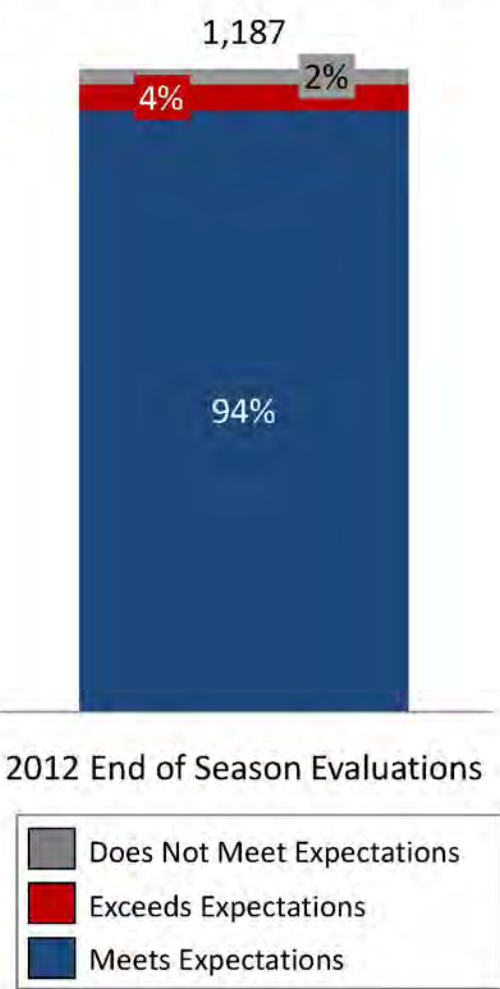
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**B) However, the Lack of Differentiation Among Observer and Supervisor Grades Reduces Their Usefulness**

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**Distribution of Grades Among Umpires, 2012**



**Lack of Differentiation**

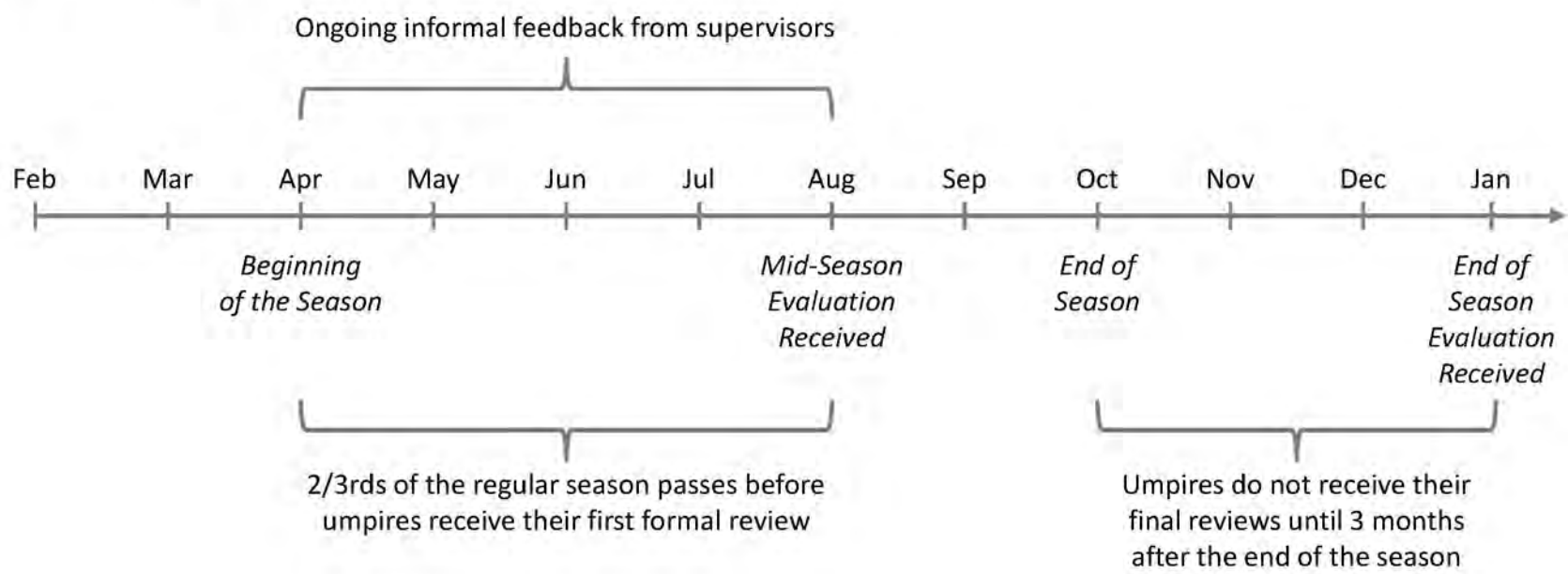
- Culture among Umpires is to avoid differentiation whether positive or negative
- As former umpires, supervisors' interests are often aligned with those of the umpires
- Observers are also friendly with the umpires and are hesitant to give out subpar grades
- Without "supervisors of the supervisors", there has not been a clear directive to ensure a proper distribution of grades

*Supervisors and observers know umpiring, but not management; increased training is required*



# Additionally, the Umpires Only Receive Formal Feedback Twice Per Year

## Timeline of Formal Umpire Performance Reviews



*While informal feedback is given throughout the year, there are long gaps between formal evaluations that reduce their impact on performance.*



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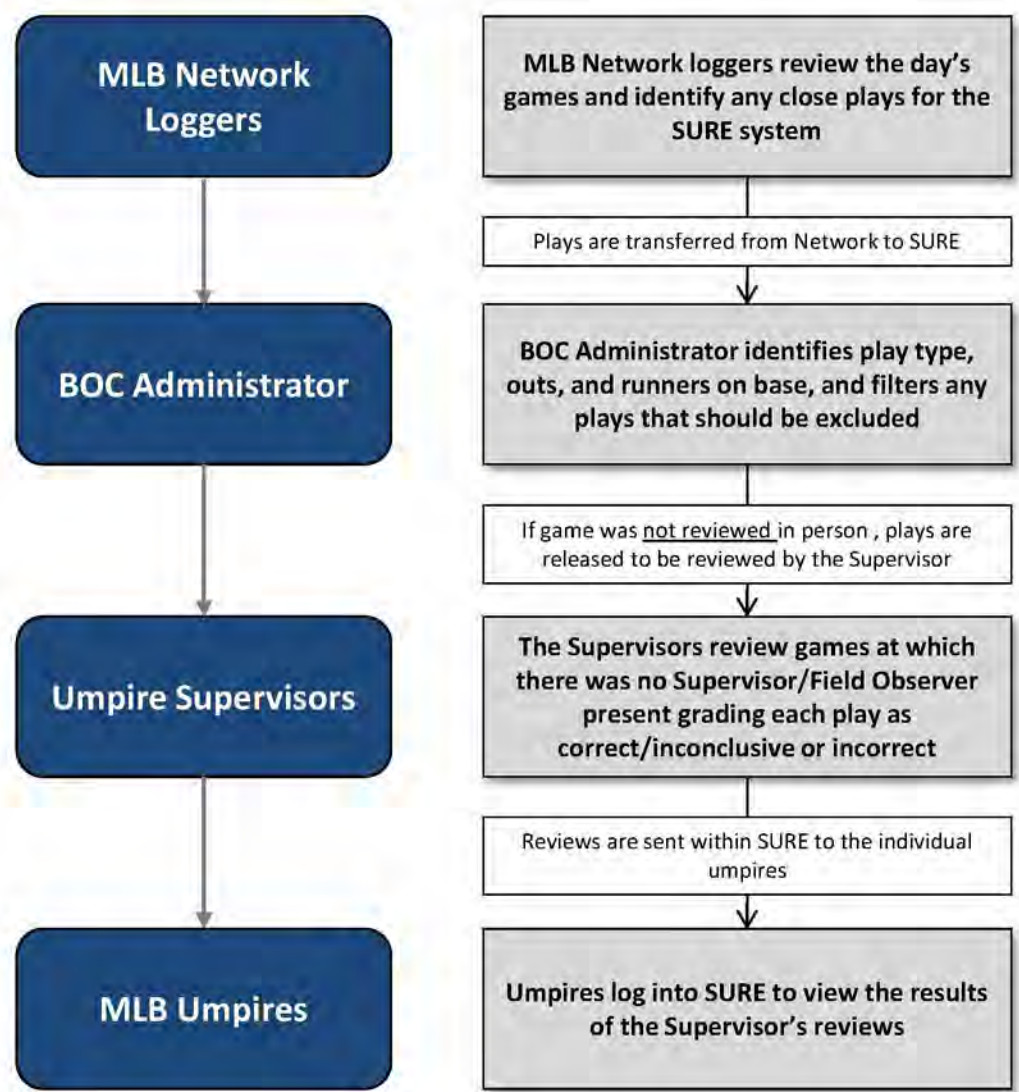
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# C MLB Has Invested Significant Resources in Technologically Advanced Training and Evaluation Systems

## Key Umpiring Technology

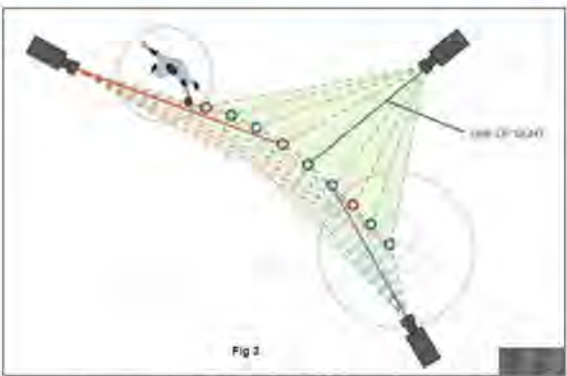
System for Umpire Review & Evaluation (SURE)	Zone Evaluation System (ZE)	BEST
<ul style="list-style-type: none"><li>Compiles all close calls from every MLB game (excluding balls and strikes)</li><li>Video clips of each play are tagged with identifying information (umpire involved, outs, inning) and then made available to umpires and umpire administration personnel</li></ul>	<ul style="list-style-type: none"><li>Tracks umpire performance in calling balls and strikes</li><li>All pitches in each game are recorded by the system and given a classification of ball or strike</li><li>The system classification is compared with the Umpire's call on the field to determine whether the umpire made the correct call</li></ul>	<ul style="list-style-type: none"><li>3-D virtual video training system used to help umpires with calling balls and strikes</li><li>Using a pair of goggles hooked up to a computer, umpires can select a specific pitcher and practice calling balls and strikes using pitches from the selected pitcher</li></ul>





# C The ZE System Provides a Wealth of Data on Ball/Strike Calls to Both Umpires and Administrators

## 1. Pitch Tracking



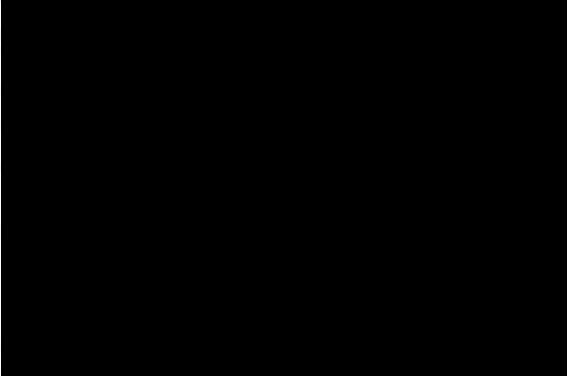
- 3 cameras, installed in every park, capture 30 images per pitch to track each ball's trajectory
- The images are used to create an equation of motion for the ball
- A central computer then determines the exact location of the ball when it crossed the front of the plate
  - The system is accurate within less than an inch
- A PITCHf/x operator sets the top and bottom of the strike zone before every pitch
  - Sides of strike zone are set automatically by cameras

## 2. Central Review



- Each game's data is processed centrally by MLBAM each night
- Auditors review each game's data nightly and make adjustments as needed
  - E.g. Balls crossing the plate in the strike zone but caught near the ground by the catcher
- Each umpire is given a score and can view video of each pitch the following day

## 3. Umpire Feedback & Reporting



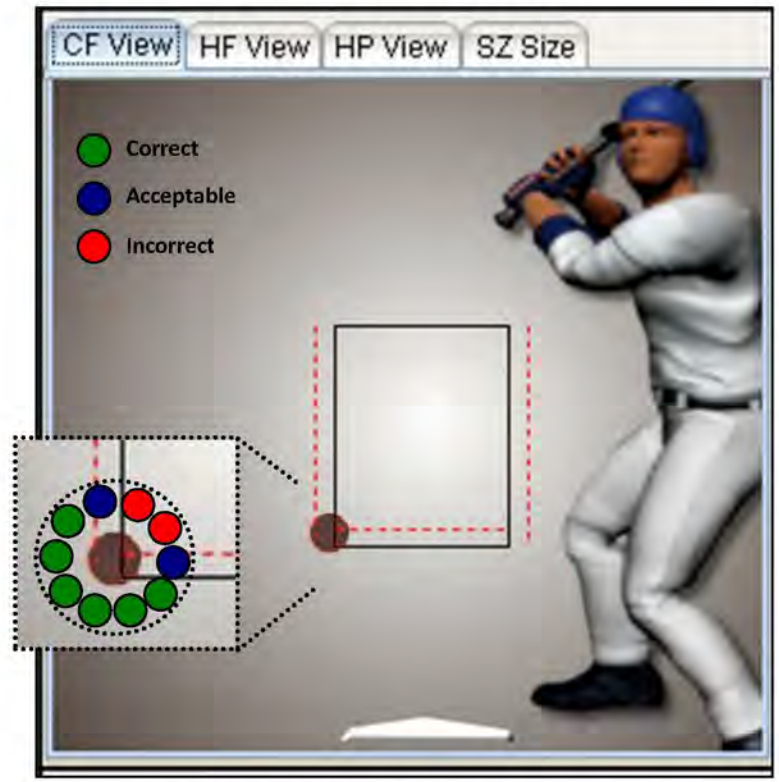
- The umpiring department works with each umpire to understand their scores and address any issues with the system
- The LRD produces a weekly report of top scoring umpires, strike zone tendencies and differences between ballparks
- ZE scores are used as part of the umpires' mid-season and year-end evaluations





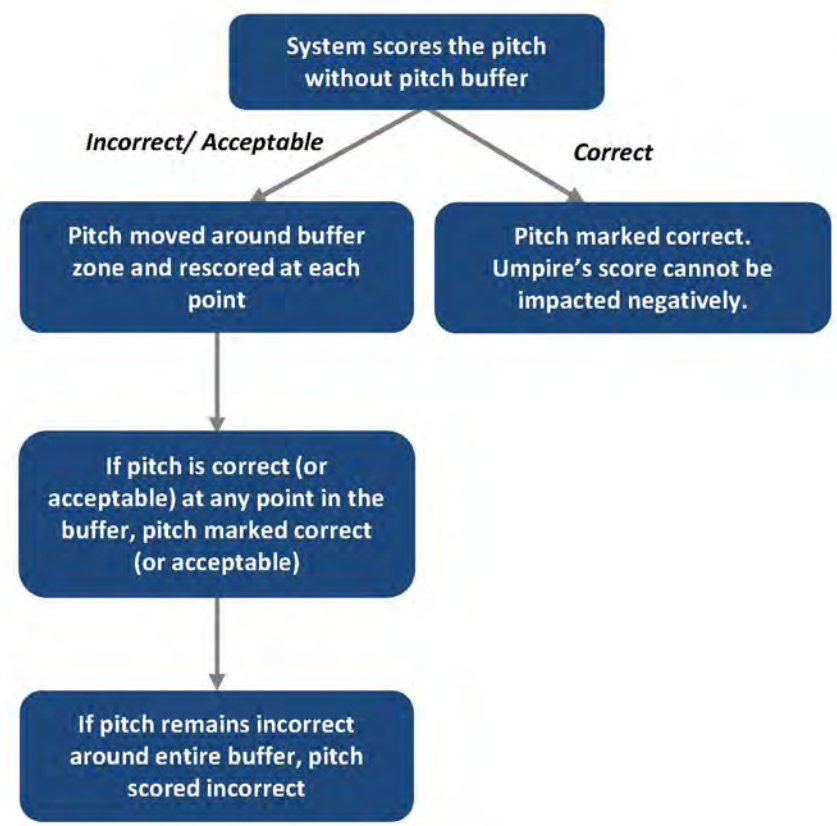
# Umpires Are Afforded a "Buffer" to Protect Them on Extremely Close Pitches

Pitch Buffer Illustration



A borderline pitch originally called a ball by umpire and marked incorrect would be marked correct if it falls within the pitch buffer

Pitch Buffer Adjustment Process



The pitch buffer and other adjustments add roughly five percentage points to umpires' ZE scores

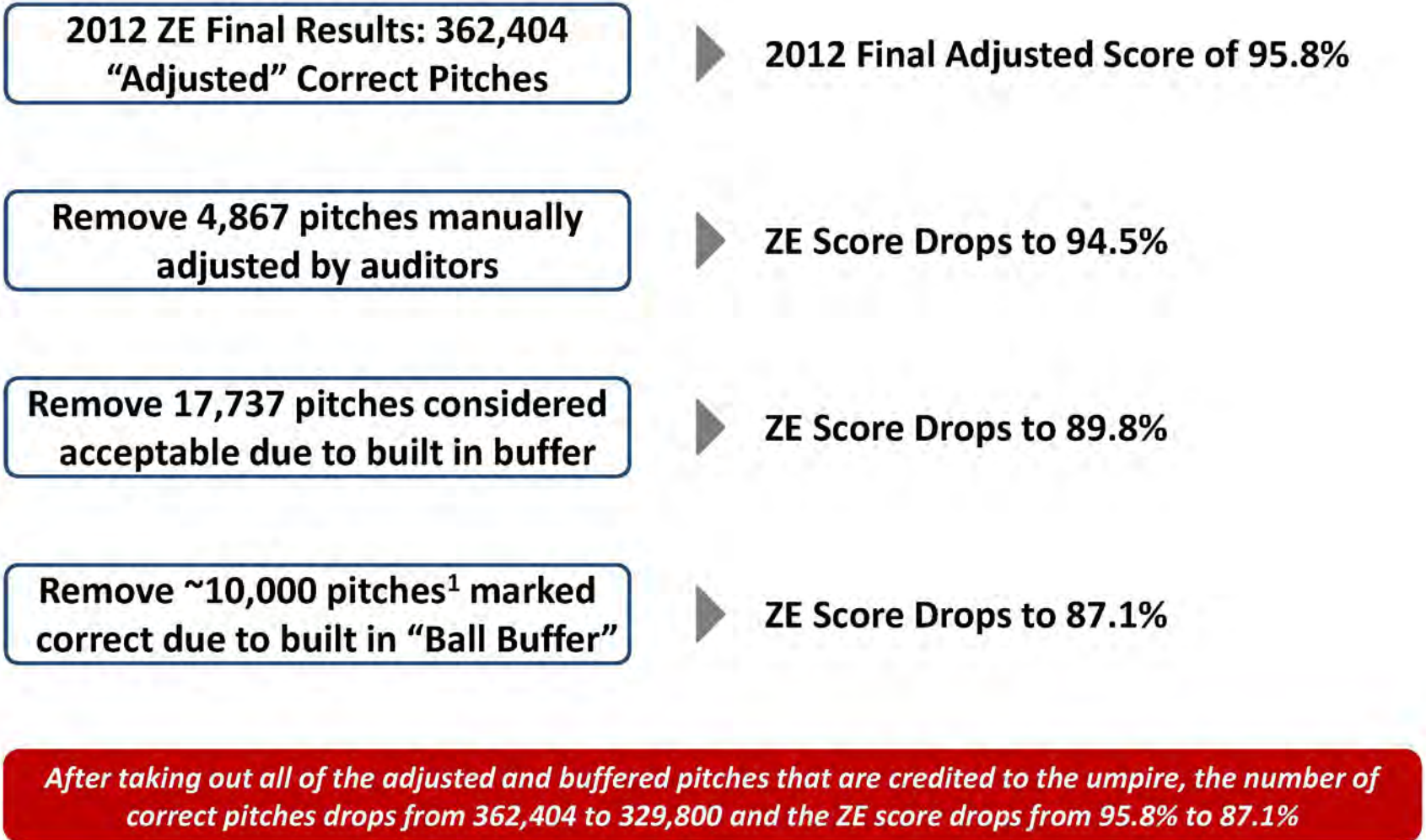
Note: Size of buffer exaggerated for purposes of illustration



# **C The ZE Buffer is One of a Number of System Adjustments that Result in a Very Inflated ZE Score**

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## **2012 ZE Data**



<sup>1</sup> Ball buffer effect estimated based on historical (2008) results



# BEST is a Virtual Reality Training Tool for Ball/Strike Calls

## Realistic Training

- Umpires only work behind the plate once or twice a week and can use BEST to stay sharp between games
- Umpires can use BEST to view pitches from the actual pitcher who they will be seeing during the game, much like the players watch video of a pitcher before they face him
- BEST serves as a great way to practice and prepare for a game in a low pressure, non evaluative environment





**C A Number of Barriers Remain Before the Full Potential of These Advanced Systems Can Be Achieved**

Case 1:18-cv-00055-DWM Document 1-1 Filed 06/22/20 Page 15 of 39

**Key Umpiring Technology (Issues)**

**System for Umpire Review & Evaluation (SURE)**

- **Supervisor comments are often lacking**, making it difficult for an umpire to work out where and how he can improve
- **Supervisors grade leniently**, resulting in very few incorrect plays for the umpires to learn from
- With no mandate to log in and check the system, **some umpires almost never view their plays**

**Zone Evaluation System (ZE)**

- ZE system scores clearly differentiate between umpires, **but a high ZE score does not have any measurable impact on special event selection, compensation, or end of season evaluations**
- ZE scores are **inflated by a number of adjustments and buffers** and do not present a true view of accuracy
- Many **umpires blame the system for bad scores**, and will often argue that the system is calibrated incorrectly or that their version of the strike zone is preferred by players and managers

**BEST**

- **Only 5 BEST consoles exist** making it impossible for Umpires to have regular access
- Working on the BEST system before games **upsets the set pregame routine** that umpires have developed over the years

*The complete lack of integration between the systems described above as well as other IT systems used by umpires (Portal, Halogen, Umpire Access Database, etc.) adds to the difficulty of managing umpire evaluation/training*



## Umpires are Graded on a Number of Different Evaluation Criteria

### Evaluation Criteria

- Field Performance
  - Field Proficiency
  - Effort and Professionalism
  - Game and Situation Management
- Administration
  - Ejections and Situation Handling
  - Submitting Umpire Reports
  - Communication with Office
  - Application of Pace of Game Procedures
- Judgment
  - Plate Judgment
  - Base Judgment

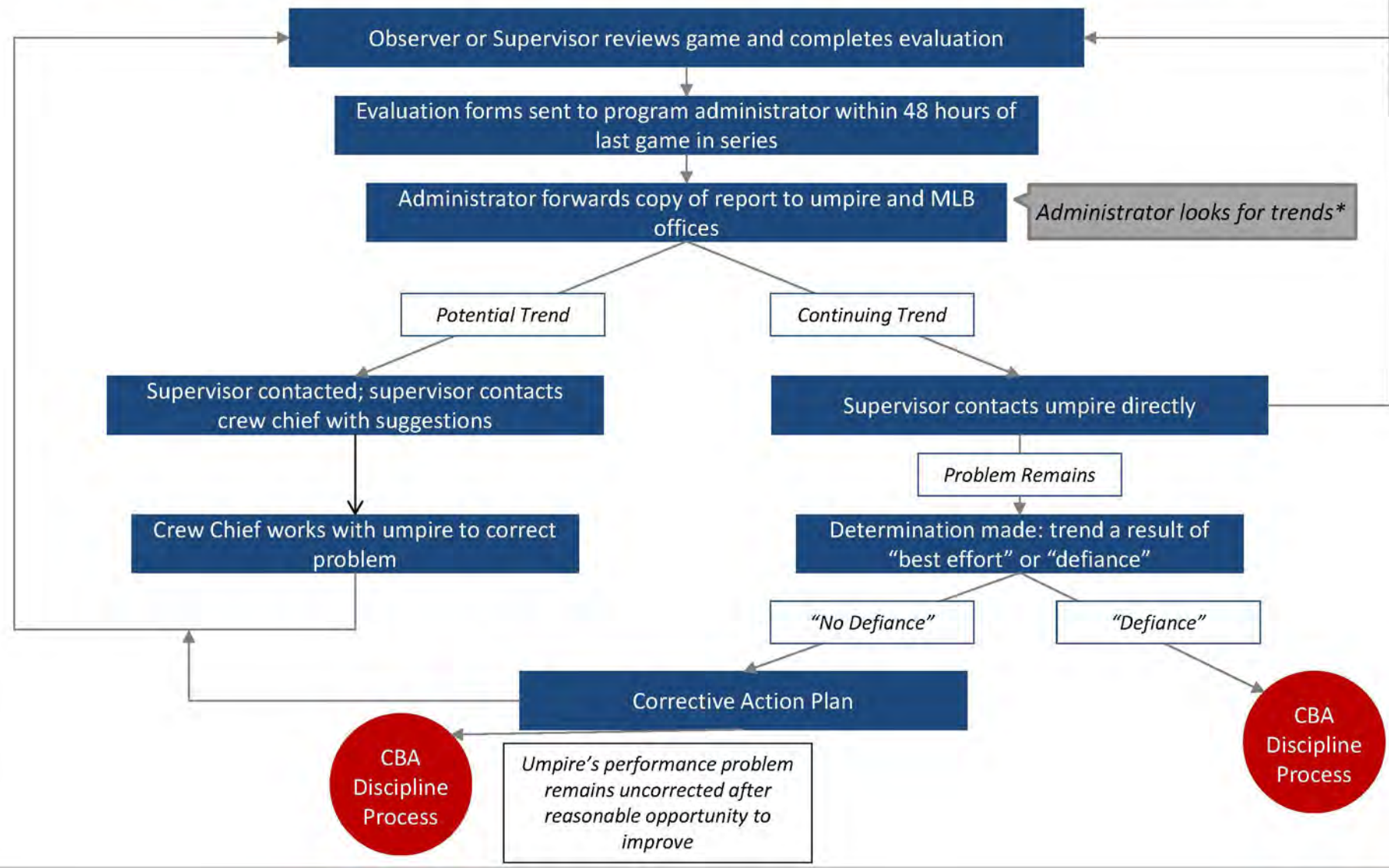




# The Basic Agreement Outlines an Evaluation and Training System That Gives Management More Discretion Than in Years Past But Has Complications

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\* "For example, the Vice President of Umpiring may determine that a trend exists when different Observers rate an umpire deficient in the same area of performance", Basic Agreement, Addendum C



# D Umpires Are Not Always Given Clear Direction When Controversial Situations Arise

*“An umpire shall not speak with a member of the media regarding a controversial, play, call, or ejection in a game for a period of 15 minutes following the completion of the game. After the fifteen minute post-game cooling off period, a crew chief (or another crew member...) may on the day of the game discuss a rule interpretation, an unusual play, or a controversial call, play, or ejection with a pool reporter.” – Basic Agreement Article 9E*

- Umpires are **encouraged to speak to the press** following games, so as to avoid the impression they are hiding from the media
- While speaking to the press, umpires must be **very careful about what they say**
  - General comments and rules explanations are acceptable
  - Details about who said what to whom are not acceptable
  - Additionally, umpires “shall not make public comments that create an appearance of lack of impartiality toward a player or Club, that are critical of the Commissioner of Baseball, or that otherwise are inimical to the best interests of baseball” (Article 9.E.3)
- **PR support can be provided** if deemed necessary, but the umpire bears the majority of the communication responsibility



*When a controversial situation arises, the umpires involved in the controversy are often the only people available to answer questions; enhanced PR training is required*





# D The Commissioner's Office has Broad Management Rights With Regards to Umpire Discipline and the Protection of Umpire Integrity

## Umpire Discipline

- No disciplinary decision is subject to arbitration before a neutral arbitrator
  - Discipline of 6 days or less or \$1,000 fine: Appeal determined by SVP and General Counsel of Labor
  - Discipline of greater than 6 days or \$1,000 fine: Neutral Factfinder appointed to provide **non-binding** findings with respect to basic facts of the matter and appeal independently determined by SVP and General Counsel of Labor
  - Termination: Appeal determined by SVP and General Counsel of Labor; if upheld, a Neutral Factfinder may be appointed to provide **non-binding** findings with respect to basic facts of the matter to be used in connection with a further appeal to the Commissioner for an independent determination.
- All decisions by the Commissioner and the SVP and General Counsel of Labor are final and binding

## Umpire Integrity

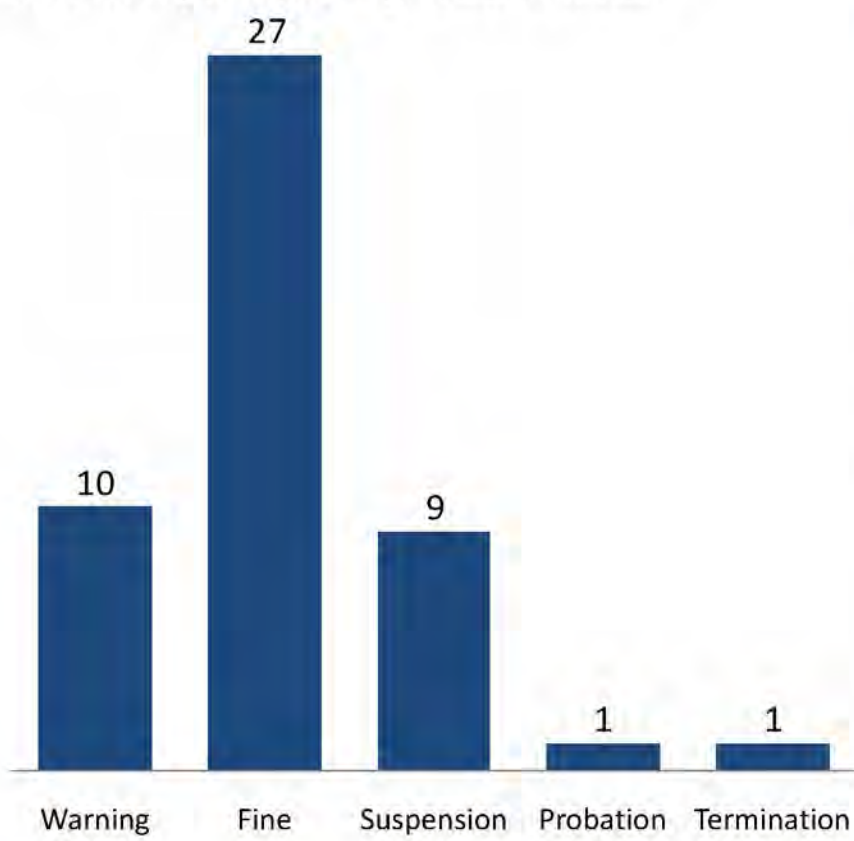
- The Basic Agreement and Major League Rules contain numerous policies intended to protect the integrity of MLB and the image of umpires as impartial arbiters
  - Public statement limitations (Article 9.E.3)
  - No gambling on baseball (MLR 21)
  - No gifts from players or other Club personnel (MLR 21)
  - No requests for autographs or memorabilia (Article 9.C.4)
  - No requests for tickets from Clubs (Article 20.A.1-3)
  - No requesting, taking, selling or authenticating any Club or BOC property (balls, bats, line-up cards, etc.) (Article 9.C.5)
  - "Each umpire shall render skilled services as a baseball umpire, with diligence and fidelity... conform to high standards of personal conduct; and maintain the integrity of the international game of baseball." (Article 9.A)





# D Umpire Discipline has not been a Major problem, but Punishments have not Deterred Repeat Offenders

Incidents by Discipline Type, 2003-Present



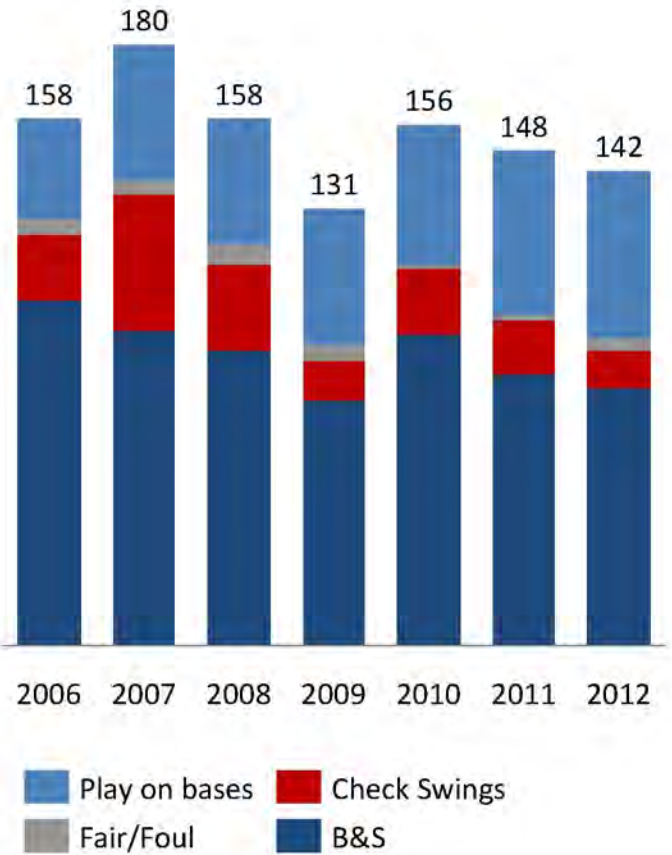
Discipline
▪ 10 Umpires* account for more than half of the incidents
██
██
▪ Longest suspension was for 10 days
▪ 12 of the 48 incidents were appealed
▪ Umpires are disciplined for both on and off the field incidents



# D While Umpires are Disciplined for both On and Off Field Incidents, On-Field Incidents are Often Higher Visibility

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Player Ejections 2006-2012



On Field Incidents

- Every time there is an incident, the umpire's role and conduct is evaluated by the SVP of Umpiring, with discipline following if necessary
- Umpire discipline is generally not announced in order to avoid undermining the umpire's authority on the field
- On the flip side, umpires have a contractual right to know if a player is suspended and/or fined for an incident involving an umpire (Article 5.E)



## Summary

- A **significant budget** is allocated to umpiring, but the department has historically lacked structure
- The majority of the budget is allocated to salary and travel, with **very little allocated to training and evaluation**
- A large network of observers and supervisors is able to cover a high number of games, but **lack of grade differentiation** among umpires is a problem
- Umpires do receive consistent informal feedback, but **formal feedback is often delayed**
- A number of impressive technologies have been built to aid in the evaluation and training of the umpires, but they have **not been fully accepted** by the umpires, and are **not always utilized** to the full extent
- While significant time has gone into formalizing the evaluation and training process, there is still **significant room for interpretation and subjective judgment**
- Certain umpires **repeatedly become involved in incidents requiring discipline** in spite of past punishments



## Table of Contents

- Demographics and life of an umpire
- Umpire oversight and development
- **Umpire health and fitness**
- Benchmarking officiating in other leagues
- Recommendations





## In Theory, MLB Places a Strong Emphasis on Fitness

### Medical

- Pre-employment physicals include a **treadmill stress test** and **nutritional consult**
- A **functional activity assessment** is given per the CBA
- Umpires have access to an Umpire Employee Assistance Program, Executive Health Access, and a Lifestyle Management Program

### Conditioning

- Umpires are given individually customized in-season **performance books**, individual **stretch tubing kits**, a computer based pedometer **walking program**, and instruction on **post-travel stretching**
- Each umpire room contains a number of **fitness devices** including foam rollers, gymnic balls, stretching equipment, and core body temperature cooling equipment
- Umpires have access to **customized functional conditioning**

### Nutrition

- Umpires can consult with two **registered dieticians**
- Each umpire is given a **healthy eating restaurant guide**



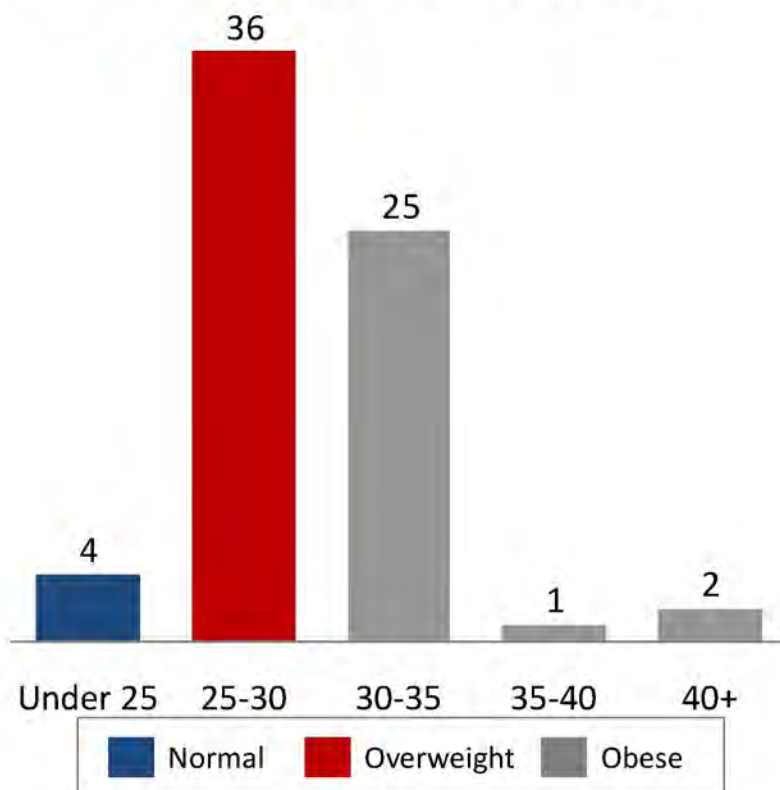


# However, only 4 of the current MLB Umpires are considered to be of "Normal" weight based on their Body Mass Index

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Active Umpires by Body Mass Index Range



Center for Disease Control BMI/Weight Status

BMI	Weight Status
Under 18.5	Underweight
18.5-24.9	Normal
25.0-29.9	Overweight
30.0 +	Obese

*The National Institute of Health notes that being overweight or obese can put one at risk for heart disease, type II diabetes, and certain cancers*







## Summary

- MLB umpires are generally viewed as being in **worse shape than their peers** in the other major sports leagues
- While the MLB has set up a number of positive programs related to physical fitness, a **large proportion of umpires remain unfit**
- A number of umpire injuries are inevitable, but **increased focus on umpire safety and wellness** should help keep umpires on the field
- As concussion awareness continues to increase, a greater emphasis must be placed on **protecting an umpire's head**, and ensuring that he **follows the proper protocol** following a blow to the head



## Table of Contents

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- **Benchmarking officiating in other leagues**
- Recommendations

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## Benchmarking Against Other Leagues

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1

National Basketball Association

2

National Football League

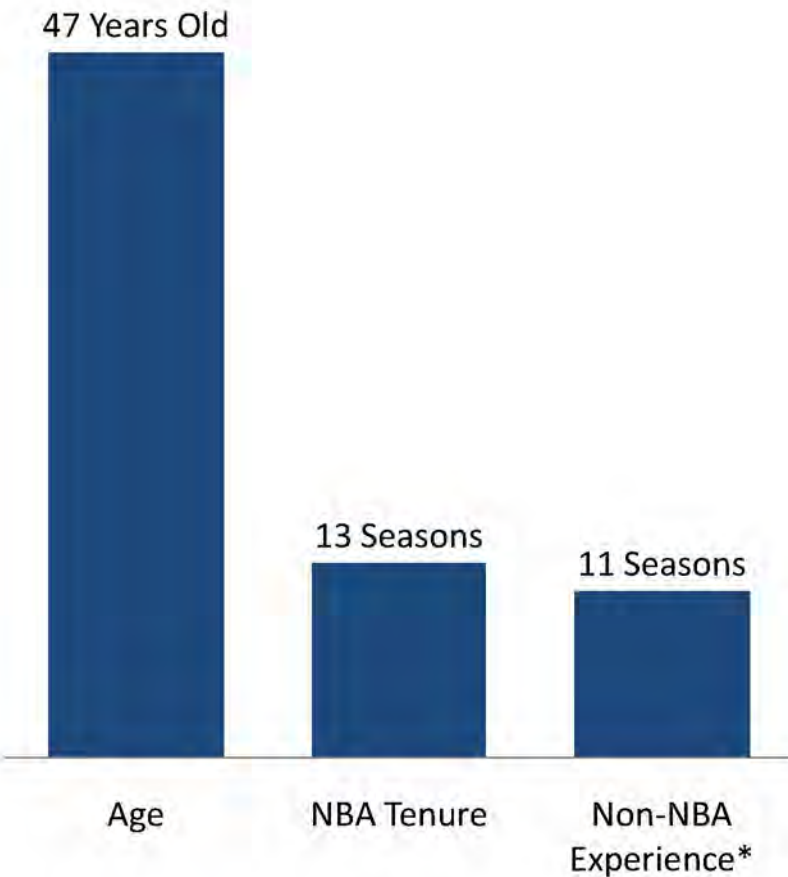
3

National Hockey League



# NBA Referee Demographics

NBA 2012 League Averages



Additional 2012 Statistics

Number of Referees	62
Referees per Crew	3
Referees with Playoff Experience	39
Referees with Finals Experience	18
Base Salary Range	
Minority %	48%

\* Includes high school, D-League, WNBA, NCAA, and CBA  
Source: 2012-2013 NBA Officials Media Guide



# NBA Administrative Overview

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## Becoming a Referee

- Applicants are first invited to a **summer identification camp** from which approximately 50 successful candidates are selected
- The successful candidates are placed in a development program where they **officiate NBA summer league games** and participate in **classroom sessions**
- After multiple camps/sessions, **top performers** will work NBA pre-season and early regular season games for **further assessment**

## Education

- A **Private website** helps facilitate **daily communication** with the league; officials are sent daily plays and must take a weekly rules test
- The league sends out **training tapes** (40-50 plays) as well as **video clips** to cover specific developmental concerns
- Referees must meet on game days to **review game reports, game summaries, and case studies**

## Evaluation

- The league employs **three supervisors and three observers** to assess and report on referee performance
- The **supervisors** work to diagnose each individual's areas for improvement and enhance his/her training and development in those areas
- **Observers** watch games live and via video, and serve primarily as data gatherers; they do not have regular communication with the officials



# 1 A Recent Scandal Revealed Gambling Activity Was Common Among Referees, So the NBA Took Reformatory Action



Former Referee Tim Donaghy

## The "Donaghy" Scandal (2007)

- Tim Donaghy, an NBA referee for 13 seasons was found guilty of betting on NBA games and supplying confidential NBA information to bettors
- Donaghy's confession was prompted by news of an FBI investigation into point shaving allegations in the NBA
- In response, the NBA commissioned an investigation by Lawrence Pedowitz into their rules, policies and procedures related to gambling

## The Pedowitz Report (2008)

### Key Findings

- No referee other than Donaghy bet on NBA games or leaked confidential information to gamblers
- However, 52 of 57 NBA referees had violated the league's gambling policies during the 2006-7 season
- Although the league sent "a clear and consistent message" to referees on gambling policies, it stood to improve in its enforcement of those policies
  - E.g. game monitoring, rules compliance, etc.

### Recommendations

- Clarify rules with regards to referees and gambling
- Enhance referee background checks
- Adopt new rules to minimize disclosure of confidential League information to gamblers:
  - Referee assignments made public on day-of-game
  - Referees prohibited from discussing with trainers or other team employees the condition of any player
- Require referees to clear outside employment with the NBA
- Restrict public access to referees by outlawing cell phone use within an hour of the game and restricting access to the officials' locker room



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# 1 The NBA Re-Structured to Allow a Greater Focus on Monitoring Games for Potential Foul Play While Also Teaching Compliance With New Policies

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## New/Modified Departments

### Referee Operations

- Broken off from Basketball Operations due to expanded role; hired Army Major General (Ret.) Ronald L. Johnson to run the department
- Receives information on a regular basis from sports bookmakers about:
  - Unusual betting lines or line movement
  - Rumors about things such as injury reports or referee schedules
  - Where the “smart money” is being wagered
- Monitors and looks for data patterns suggesting inappropriate conduct, including:
  - Referee calls and non-calls
  - Line movements

### Compliance

- Devoted to gambling investigation and education
- Oversees the confidential tip-line
  - Allows league and team employees to anonymously raise questions and report problems concerning gambling and game integrity issues
  - Helps identify problems that might otherwise go undetected and address potentially serious issues at an early stage while they are relatively minor and easy to resolve
- Runs compliance education for players, referees and team officials
- Collects and publishes complaints of referee bias against particular teams and players from players and Club personnel





## Benchmarking Against Other Leagues

1 National Basketball Association

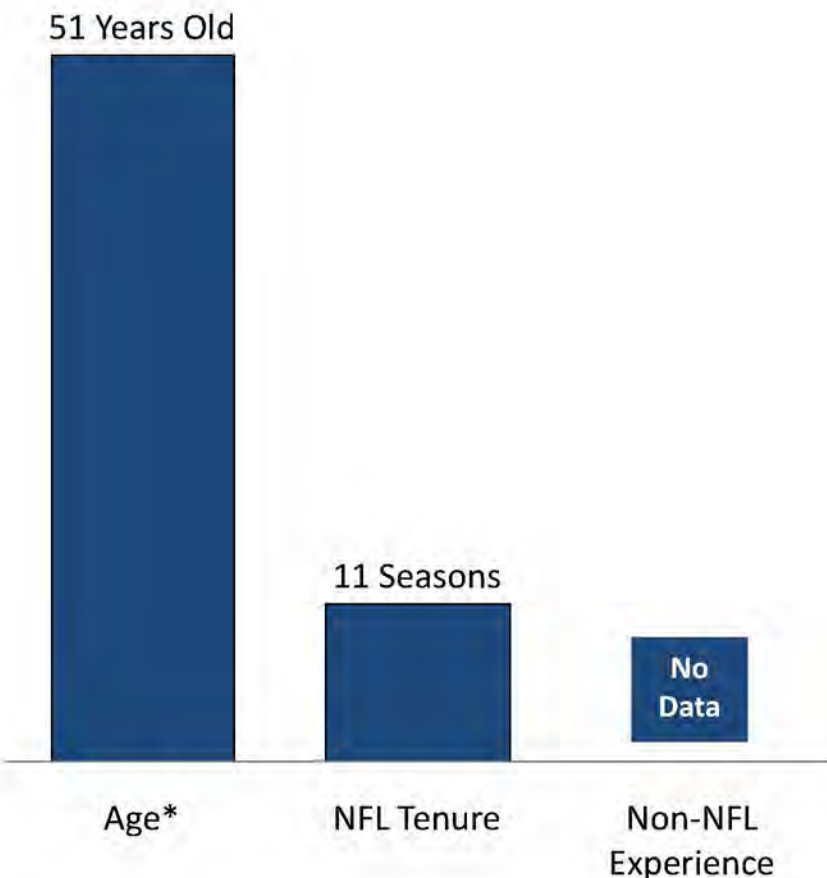
2 National Football League

3 National Hockey League



# NFL Referee Demographics

NFL 2012 League Averages



Additional 2012 Statistics

Number of Referees	121
Referees per Crew	9
Referees with Playoff Experience	No Data
Referees with Finals Experience	No Data
Base Salary Range	
Minority %	40%**

\*2007 Average  
\*\*Estimated by Rich Rieker as of 1/10/2010  
Source: "For NFL Officials, Scrutiny Begins Long Before Kickoff", USA Today, 2007; "Refs Pumped for Super Bowl - And All Games" ABC News, 2007; [www.footballrefs.com](http://www.footballrefs.com), 2012 NFL Record and Fact Book



## NFL Administrative Overview

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### Becoming a Referee

- Minimum of **10 years of experience** in officiating football, at least five of which must be at the **collegiate or minor professional level**
- Candidates must belong to an accredited **football officials association** or have previous **experience as a player or coach**
- NFL **tracked and supervised Arena League officials** until the league went under in 2009; majority now come from the college ranks

### Education

- Crews **meet the day before the game** to watch **video of key calls** from the previous week's game
- Each crew receives a **report with notes and comments** on individual plays in the week following each game

### Evaluation

- The department has a **command center** on game days where they monitor all close plays and keep meticulous data on calls, pace of game, and other officiating related items
- **VP of officiating and seven supervisors meet each Monday** to evaluate all of the weekend's games
- Officials are given a **chance to respond** to any call ruled incorrect; the VP and supervisors **review each of these plays a second time** and vote on whether to uphold or overturn the judgment
- Officials are then given a **weekly grade** which is used to determine postseason assignments, as well as which officials are in danger of dismissal – **3-4 referees are fired each year** for fitness/performance related reasons





## 2 The NFL Places Significant Emphasis on Finding and Developing Qualified Referees

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PRIVILEGED AND CONFIDENTIAL

### Development

- All NFL referees has at least a bachelor's degree
- Bird dog scouts are stationed across the country to help identify high potential officiating prospects in high school, college, and semi-pro football
  - Scouts funnel high prospects to good jobs in big-conference college football
  - Emphasis is put on placing the prospects in good jobs quickly, so that they can get their minimum 10 year experience requirement out of the way as soon as possible
- The NFL maintains an active and positive relationship with college football
  - 4 of the current NFL officials are college officiating commissioners for major college conferences
- Diversity is a major focus from the lowest levels of officiating to the top levels
  - By having a high number of minority prospects throughout each level, the NFL is able to avoid hiring a less experienced candidate simply because they are a minority



## Benchmarking Against Other Leagues

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1 National Basketball Association

2 National Football League

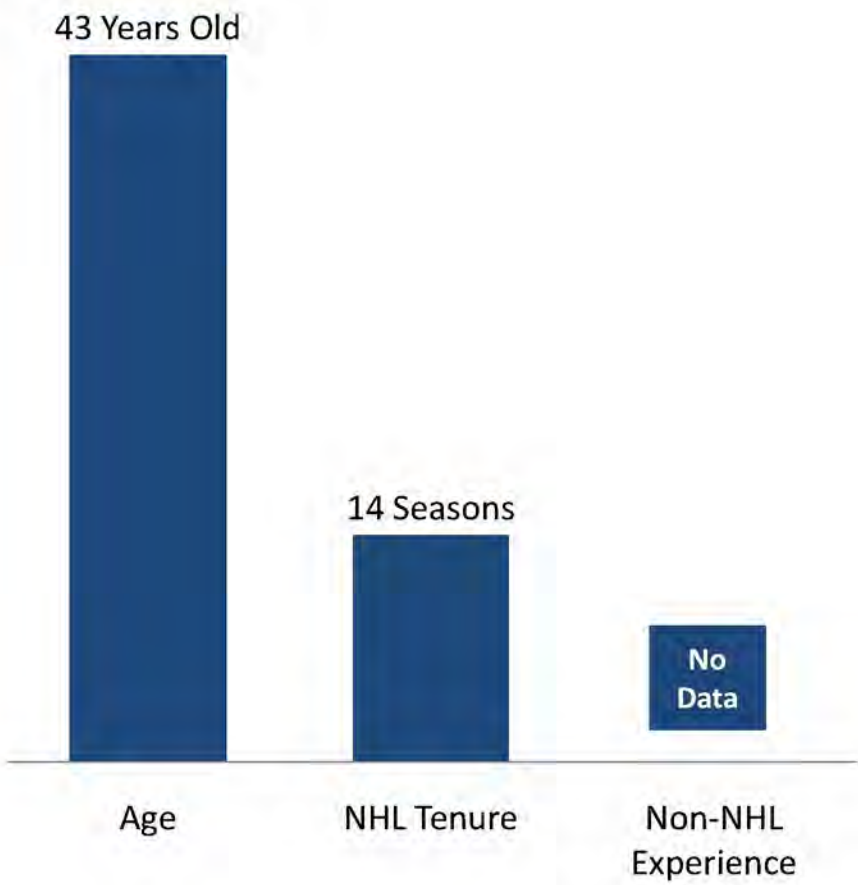
3 National Hockey League





# NHL Referee Demographics

NHL 2012 League Averages



Additional 2012 Statistics

Number of Referees	77
Referees per Crew	4
Referees with Playoff Experience	31
Referees with Finals Experience	No Data
Base Salary Range	
Minority %	1%

Source: <http://www.nhlofficials.com/> - Official Site of the NHL Officials Association



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## NHL Administrative Overview

PROVIDED AMU CONFIDENTIAL

### Becoming a Referee

- **Experience** is key; beginning at the lowest level and working towards higher level games is encouraged
- Applicants should attend **official training schools and camps** where they can be instructed by former and current NHL officials
- The NHL maintains a group of **17 NHL prospects** who work in minor leagues across North America in order to gain experience

### Education

- All officials attend an **offseason training camp** in Fort Erie, Ontario before the season begins
- Officials are updated on a **wide variety of matters** from skating techniques to rule changes

### Evaluation

- All officials must pass a **fitness test** where "if you don't pass, you don't work"
- **Supervisors** attend games and grade the officials with **grades determining who will officiate in the playoffs.**
- Some reports claim that officials are graded on each game, but a 2009 NYT article reported that "officials are only evaluated about 5 times a season."



# There Are a Number of Distinct Differences Between MLB and the Other Major Professional Sports Leagues

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## MLB

## Other Leagues

### Playoff Selection

- With the exception of the World Series, **playoff assignments do not appear to be very selective** – 87% of MLB Umpires have been selected for the playoffs

- Playoff assignments are given to the **best officials** by incorporating various **performance metrics and evaluations**

### Training/ Evaluation

- **Limited** ongoing **training** for umpires
- Evaluation **systems exist**, but evaluations may not be fully integrated with in-person feedback and instruction
- Umpires will often **resist any additional training or evaluation efforts**

- **Training camps, targeted video instruction, and actual written/physical tests** are all used for training and evaluation
- **Poor evaluations have repercussions** which can sometimes include dismissal

### New Candidate Development

- **Multiple years in the minor leagues** under conditions that bear little resemblance to those faced in the Major Leagues
- **Poor conditions and very low pay**
- **Brutal schedule** precludes most umpires from outside job opportunities

- Will often gain experience officiating **big time college sports** where the media glare and pressure can match the conditions of the professional leagues
- Can make **decent money officiating** and may also often have the **opportunity to hold down an additional job**





# Other Major Sports Leagues Put Significant Emphasis on the Physical Fitness of Their Officiating Crews

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## NHL

- Officials must **pass a fitness test** before the beginning of the season
- Test includes **VO2 Max test** on a stationary bike, a **strength evaluation**, and a **caliper test** measuring % of body fat to mass ratio

## NFL

- NFL Referees must take and pass a **physical exam and stress test** in order to work
- NFL Referees are instructed to be in **top physical condition** as officiating one NFL game is the equivalent of running 6-7 miles

## NBA

- The NBA **assesses its referees three times a year** to measure their fitness, weight, and body fat.
- NBA officials must **stay under a designated weight** or risk having their workload sharply diminished



*These sports involve significant physical exertion over the course of a game; in effect, the officials are working out while officiating*



# The Profile of a Typical MLB Umpire Differs Substantially From Other Leagues' Equivalents

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	NFL	NBA	MLB
<b>Example</b>	Tony Corrente	Dick Bavetta	Wally Bell
<b>Education</b>	<ul style="list-style-type: none"> <li>▪ B.A. from Cal-State Fullerton</li> <li>▪ MA from Azusa Pacific University</li> </ul>	<ul style="list-style-type: none"> <li>▪ BA from St. Francis College</li> <li>▪ MBA from the New York Institute of Finance</li> </ul>	<ul style="list-style-type: none"> <li>▪ Austintown Fitch High School</li> </ul>
<b>Professional Development</b>	<ul style="list-style-type: none"> <li>▪ Big West and WAC official from 81-95</li> <li>▪ Officiated in numerous bowl games including the Rose Bowl</li> </ul>	<ul style="list-style-type: none"> <li>▪ 9 years officiating high school and the Eastern League (forerunner to the CBA)</li> </ul>	<ul style="list-style-type: none"> <li>▪ 8 years in the minor leagues (NYP, SAL, CAR, SL, DRL,AAA-Alliance, INT)</li> </ul>
<b>Alternative Work Experience</b>	<ul style="list-style-type: none"> <li>▪ High School Social Science Teacher</li> <li>▪ Former baseball coach</li> </ul>	<ul style="list-style-type: none"> <li>▪ Stockbroker at Salomon Brothers before NBA career</li> </ul>	<ul style="list-style-type: none"> <li>▪ None</li> </ul>

*Many officials in other leagues are highly educated and successful in other professional fields.*





## Table of Contents

- Demographics and life of an umpire
- Umpire oversight and development
- Umpire health and fitness
- Benchmarking officiating in other leagues
- **Recommendations**



## Action Plan: A Two-Pronged Approach

### **A Elevate the performance and perception of the current umpiring staff**

- Improve the evaluation process across a number of dimensions:
  - A more standardized, quantitative rubric
  - Enhanced and interoperable technology tools
  - Re-organized administrative and supervisor staff to streamline department functions and encourage more effective communication with umpires
- Leverage more comprehensive evaluations to manage umpires more effectively
  - Discipline and eventually terminate low-performing umpires
  - Provide recognition opportunities and additional compensation for top umpires
  - Potentially hire external consultants (e.g. Sibson) to apply industry best practices to umpire management

### **B Invest in people, infrastructure and strategic partnerships to improve the organizational culture for the next generation of umpires**

- Take a more active role in identifying, hiring and retaining top umpire prospects through increased compensation and targeted “fast-tracking”
- Ensure consistency in evaluation criteria between major and minor leagues to streamline development
- Explore opening an MLB-run “finishing” school for top prospects
- Strategic partnerships with armed forces, universities and social organizations to shore up pipeline of diversity candidates
- Create marketing campaign to promote the umpires and the umpiring program



A

# Assemble Comprehensive Analytical Framework for Evaluating Umpires Based on the Criteria Set Forth in the Basic Agreement

## Field Evaluation Component

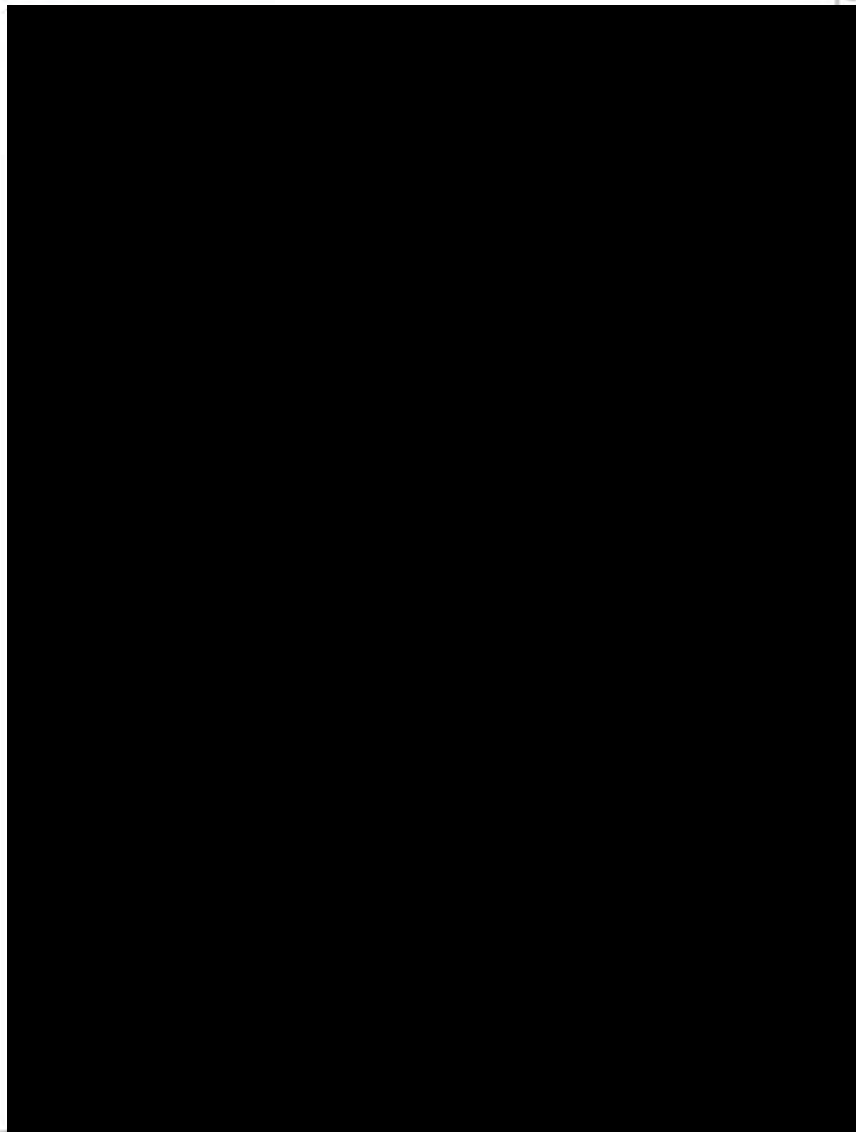
- Effort & Professionalism
- Game & Situation Management
- Field Proficiency

## Administrative Component

- Ejections & Situation Handling
- Submitting Umpire Reports
- Communication with Office
- Application of Pace of Game Procedures

## Judgment Component

- Plate Judgment
- Base Judgment



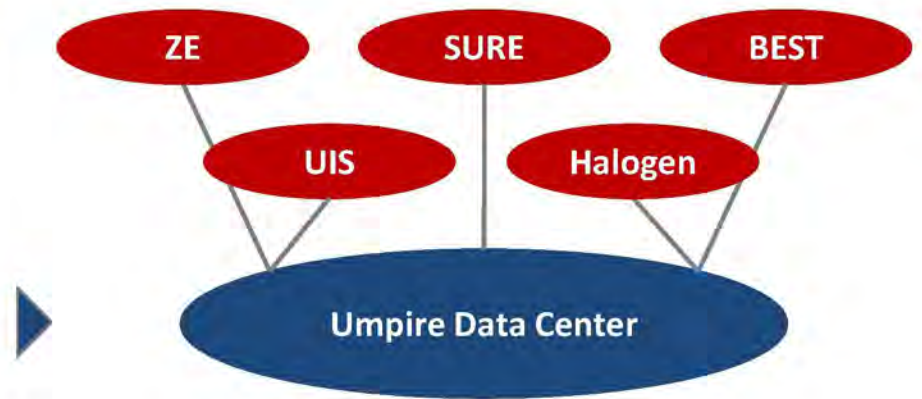


A

# Leverage Technology Tools for Training and Evaluation, Focusing on Improving Interoperability and Building a Centralized Administrative Console

## Summary of Umpire IT Systems

	Development & Maintenance Responsibility	Data Access Point
SURE	MLB Network	MLB Network
ZE	BAM/Sportvision	Offline Access Database
UIS	BOC / Baseball Operations	BOC Portal
BEST	Third-party?	Third-party?
Halogen Performance Evaluations	BOC / Labor Relations	Halogen

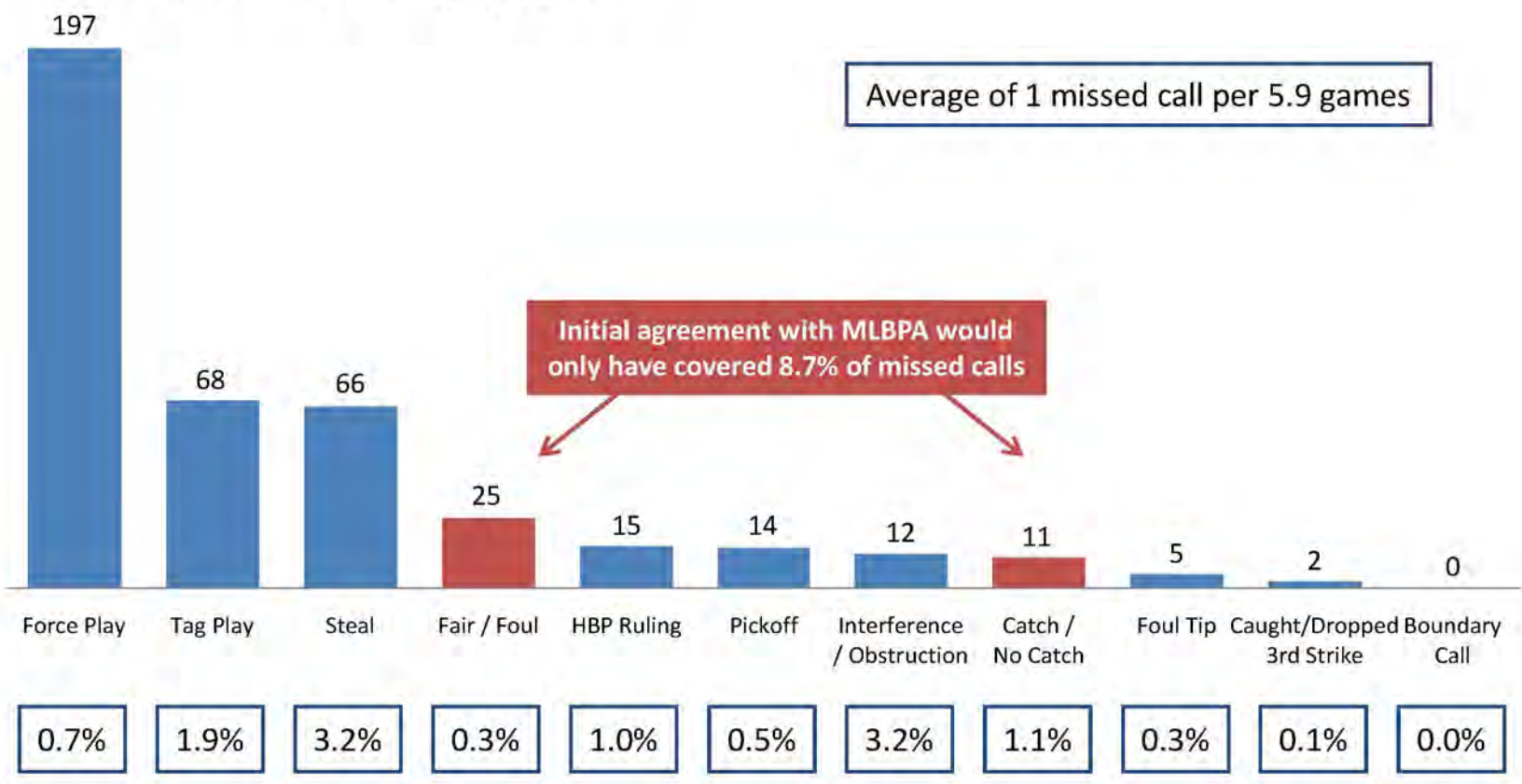


- “One-stop” privacy and access controls
- Centralized reporting and data warehousing
- Flexible architecture to incorporate additional information going forward
  - E.g., personal information, background checks, drug testing, calendar/scheduling



# Expand the Use of Instant Replay Beyond Fair/Foul and Trap Plays

Number of Missed Calls by Type, 2012





# Address Strategic Issues Related to Replay

Who Initiates the Replay?	Where Does the Review Occur?	What Video is Reviewed?
Manager	Central replay center (e.g., MLBAM, Western Ops)	Broadcast feeds only
Manager + Some Umpire-Initiated Plays (e.g., scoring plays, 9 <sup>th</sup> inning)		Broadcast feeds + Composite of all camera feeds
On-field Umpire	In-park (e.g., press box, broadcast truck)	6 best camera feeds
Off-field Replay Official		All camera feeds



# Balance Strategic Issues with Implementation & Cost

	Broadcast Only	Broadcast (+ add'l angles)	6 Best Feeds	All Feeds
Manager	Central: \$18M In-Park: \$51M	Central: \$27M In-Park: \$58M	Central: \$33M In-Park: \$61M	Central: \$78M In-Park: \$89M
Manager (+ umpire-int'd)	Central: \$19M In-Park: \$51M	Central: \$29M In-Park: \$58M	Central: \$35M In-Park: \$61M	Central: \$80M In-Park: \$89M
Umpire	Central: \$19M In-Park: \$51M	Central: \$29M In-Park: \$58M	Central: \$35M In-Park: \$61M	Central: \$80M In-Park: \$89M
Off-field Official	Central: \$37M In-Park: \$51M	Central: \$46M In-Park: \$58M	Central: \$52M In-Park: \$61M	Central: \$97M In-Park: \$89M

Note: Cost estimates are 5-year fully-loaded totals of incremental technology and personnel expenses (including up-front and annual costs)



## Sample Proposal: Manager Challenge System with Central Review

- **Administration**

- Hire a Director of Instant Replay to oversee operations related to instant replay

- **Umpires**

- Hire one additional crew (4 umpires) to staff the replay center at MLBAM on a rotating basis
  - Two six-hour shifts of two umpires each would cover each day of games

- **Supervisors**

- Hire two supervisors to be integrated into supervisor rotation
- Assign one supervisor to the replay center during all games

- **Replay Center Technicians**

- Hire 4-6 additional technicians to staff the replay center
  - Queuing replays
  - Monitoring games
  - Recordkeeping
  - Communication with on-site technicians

- **Ballpark Technicians**

- Hire one technician in each ballpark
  - Technical support for earpiece and backup video technology (i.e., the tunnel)
  - Pre-game equipment checks

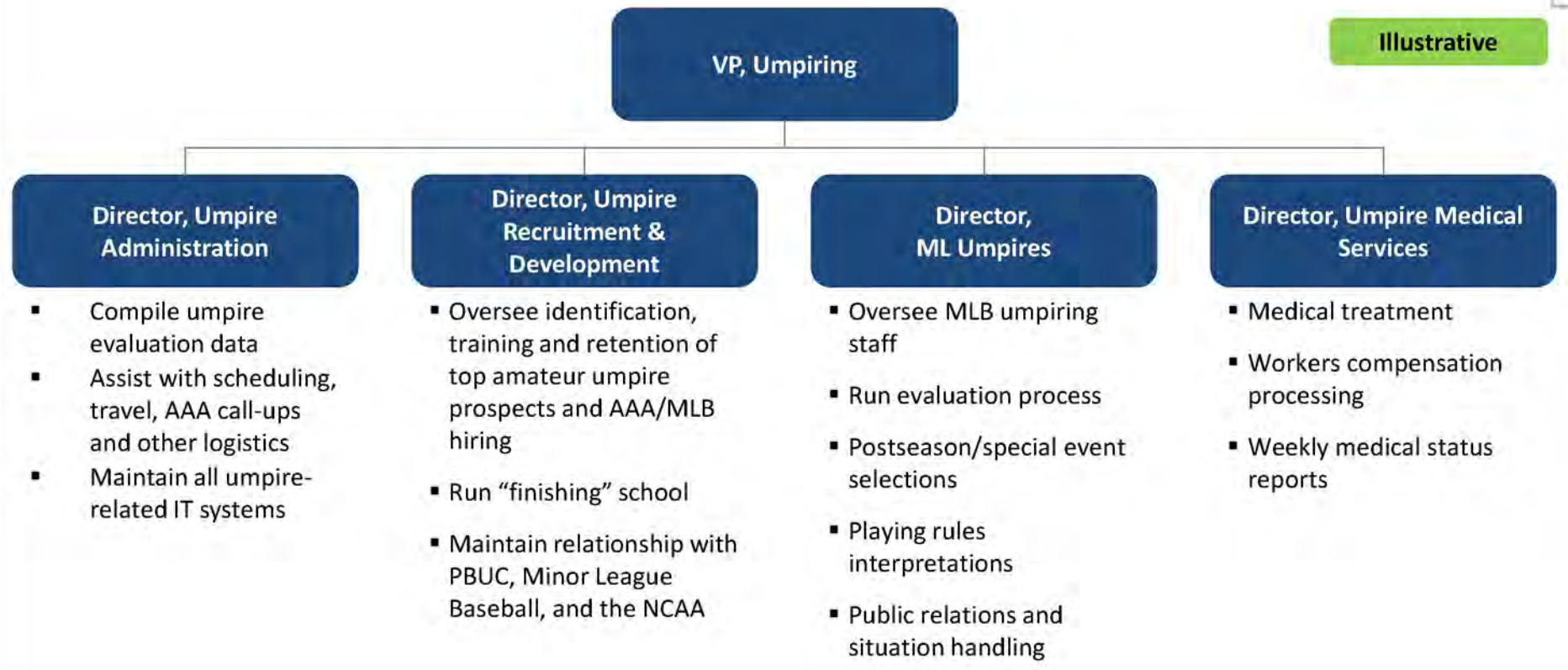




# Reorganize Administrative Staff to Best to Promote Consistency and Objectivity

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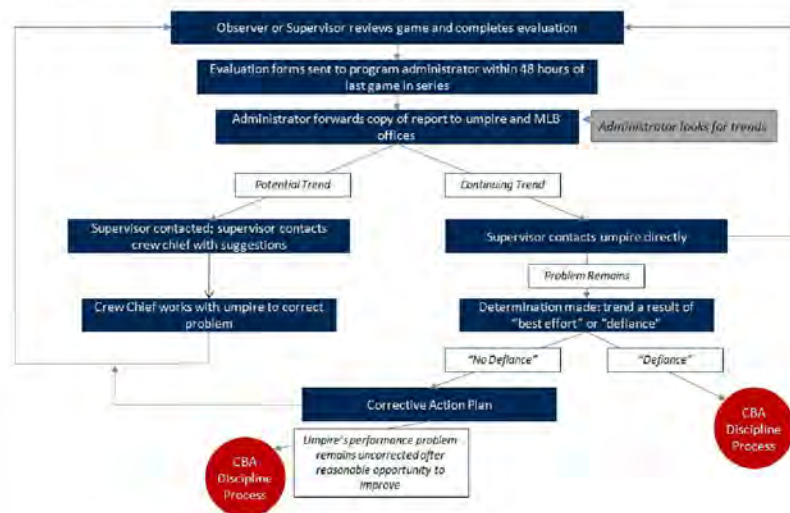
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# Discipline and Potentially Terminate Low-Performing Umpires

- Empowered with equitable and meaningful evaluations, the umpiring department can pursue performance-related discipline and termination with more regularity

## Umpire Evaluation & Training Process



- The disciplinary process is useless without evaluations that discriminate between umpires
- A move to a more analytical evaluation system will strengthen evaluations and reinforce the new meritocratic culture in the umpiring department



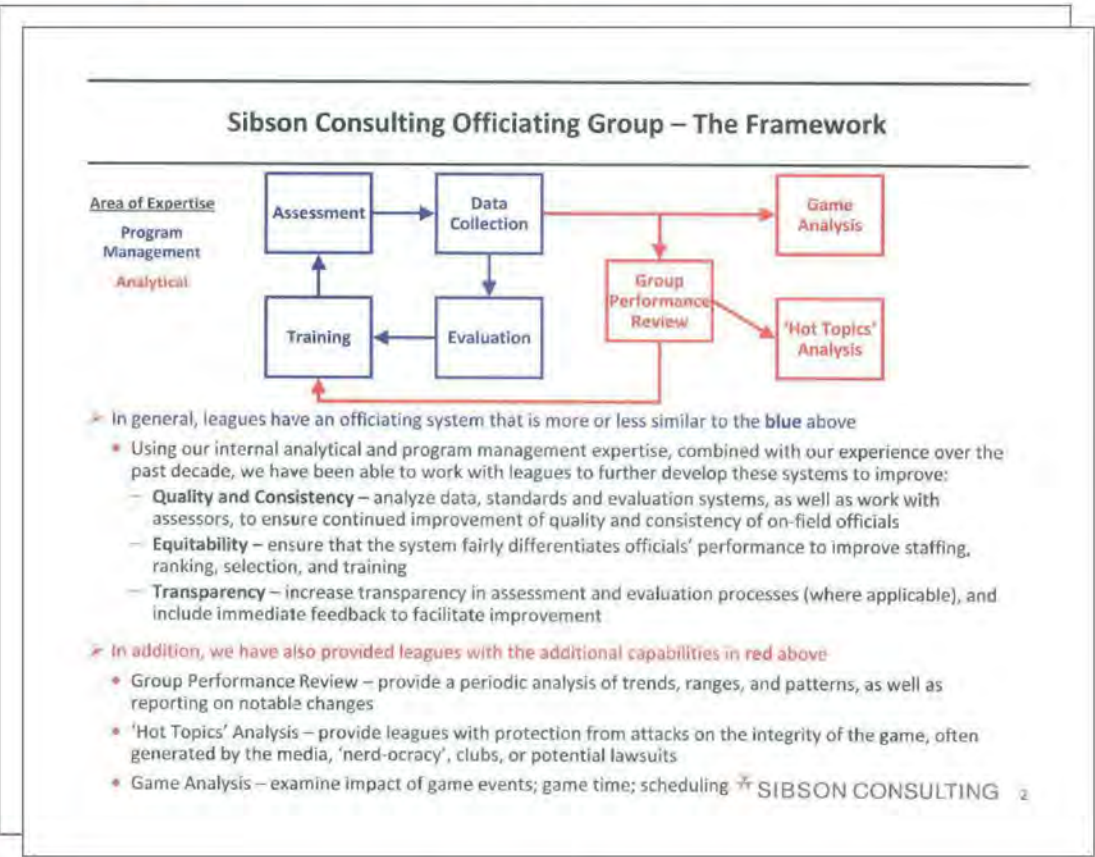


## Postseason and Special Events Assignments, Along with the Associated Compensation, Should Be Given to the Highest Performing Umpires

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***“The Office of the Commissioner shall have absolute and exclusive discretion in the assignment of umpires to work Special Events.” – Article 15(B)(2)***

- Postseason assignments are the only short-term, discretionary evaluation tool that the CBA affords management
- While the assignments do include a financial component, the symbolism is far more important
  - There is an opportunity to communicate an important shift in management priorities to the umpiring staff and to the public



**Advantages**

- A third-party consulting firm is typically helpful for studies in organizational re-design and strategy setting
- Sibson Consulting brings perspectives from the other three major leagues and can provide MLB a roadmap for driving change
- Their data-driven evaluation framework is a logical fit for MLB’s goals



## Action Plan: A Two-Pronged Approach

- (A) Elevate the performance and perception of the current umpiring staff**
- Improve the evaluation process across a number of dimensions:
    - A more standardized, quantitative rubric
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  - Leverage more comprehensive evaluations to manage umpires more effectively
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    - Potentially hire external consultants (e.g. Sibson) to apply industry best practices to umpire management
- (B) Invest in people, infrastructure and strategic partnerships to improve the organizational culture for the next generation of umpires**
- Take a more active role in identifying, hiring and retaining top umpire prospects through increased compensation and targeted “fast-tracking”
  - Ensure consistency in evaluation criteria between major and minor leagues to streamline development
  - Explore opening an MLB-run “finishing” school for top prospects
  - Strategic partnerships with armed forces, universities and social organizations to shore up pipeline of diversity candidates
  - Create marketing campaign to promote the umpires and the umpiring program





# Attract High Quality Umpire Prospects Through Higher Compensation and "Fast Tracking"

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Illustrative

## Sample Economic Proposal for Top Prospects

	Current		Proposed
Time to MLB	10-12 years		5-6 years
Compensation	\$12,000-15,000		\$20,000-30,000
Evaluation Criteria	Set by PBUC		Set by MLB
Umpiring School	\$3,000		FREE



## Explore Opening an MLB-run Finishing School For Top Prospects

### Details

- Conducted during the offseason, the finishing school would identify, in cooperation with PBUC, top prospects across all levels of the minor leagues
- Umpires who complete the finishing school would be placed at the highest available minor league positions and kept on the "short list" for openings at the major league level
- The finishing school could potentially replace existing MLB umpire camps, re-focusing MLB's attention at the higher levels of the minor leagues





## B Forge Strategic Partnerships with Military, Educational & Social Institutions to Grow Pool of Diversity Candidates

- Given the long-term nature of umpire development, the only way to approach MLB's diversity issue is through lower-level recruitment of minorities
  - The introduction of "fast-tracking" through the minor leagues could be an effective method of accelerating development of diversity prospects
- In addition to improving access to diversity candidates, strategic partnerships may also allow MLB to assist minor league umpires in finding employment during the offseason
  - The US Olympic Team has successful partnerships with several of their sponsors to employ their athletes on a part-time basis and allow them to train (e.g. Hilton Hotels)



**B MLB Should Seek to Benefit From Its Substantial Investment in Umpiring Through Strategic Marketing, Messaging Around Umpire Quality and Integrity**

**Improve Recruiting**

- Brings the profession into the limelight in an appropriate way
- MLB telecasts are an important touch point for baseball enthusiasts who may be likely to pursue careers umpiring

**Inspire Public Confidence**

- Educates the public on the difficulties of umpiring and the hard work and integrity of the staff
- Historically, the media has responded very favorably to humanizing characterizations of officials (e.g. Jim Joyce)

**Reinforce Meritocratic Culture**

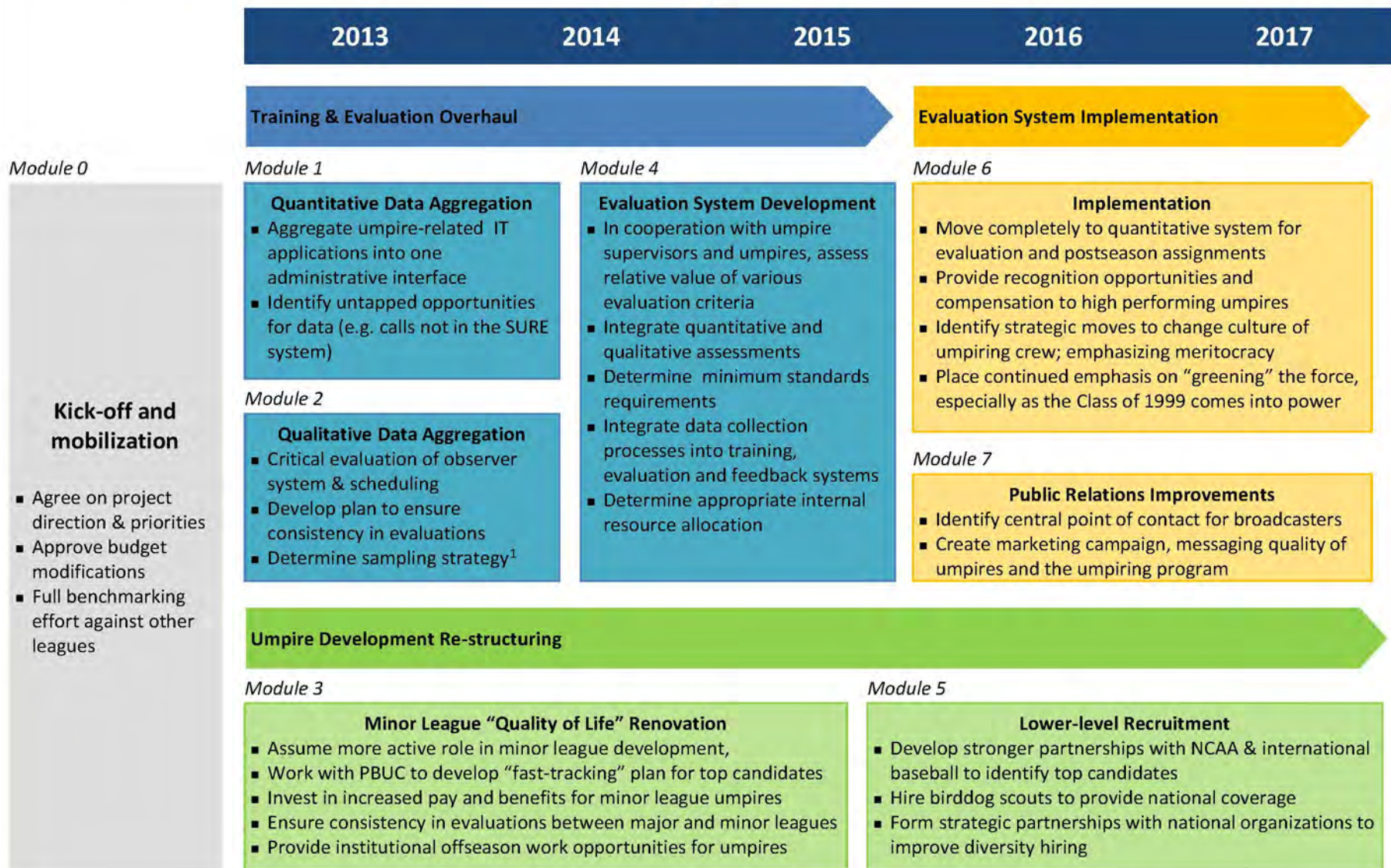
- Provides management an additional opportunity to single out particular umpires for exemplary performance





Umpire CBA Expires

# Project Timeline



<sup>1</sup> Given MLB's 2,400+ games per season, resources may not be available to evaluate every game as in other leagues



